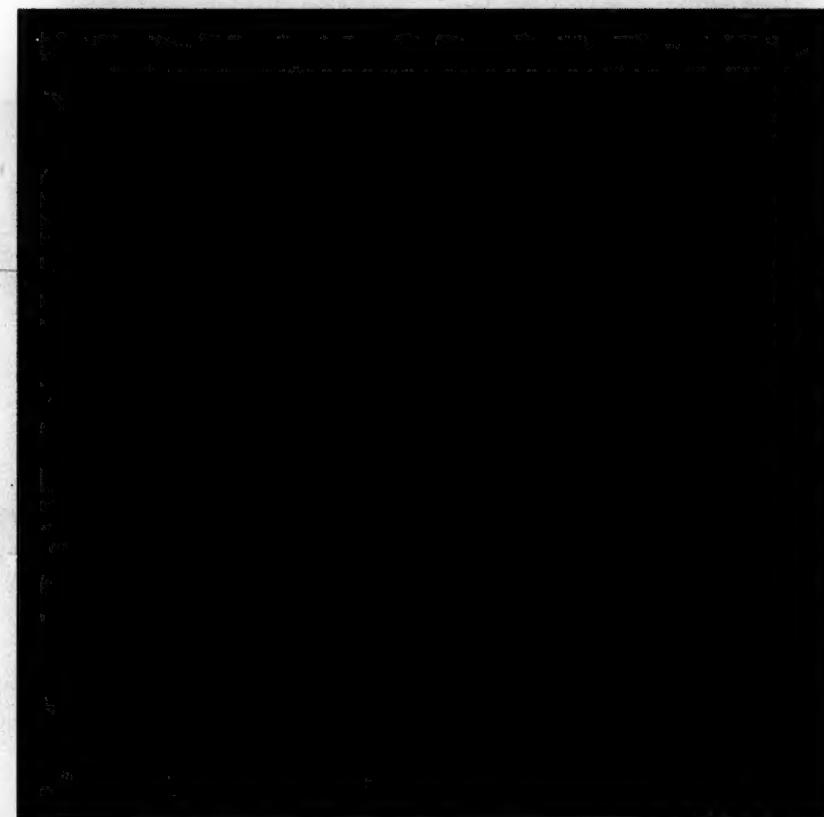
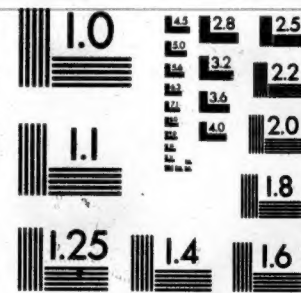
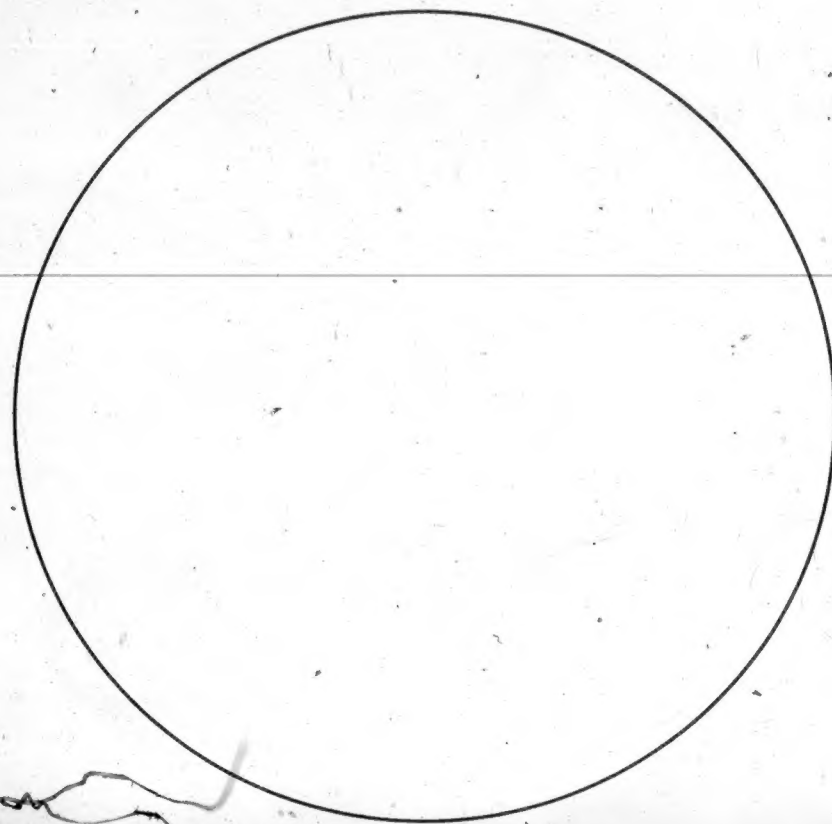
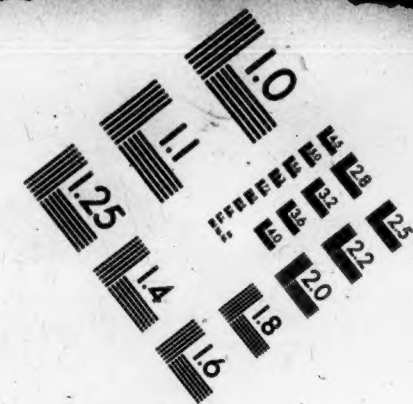
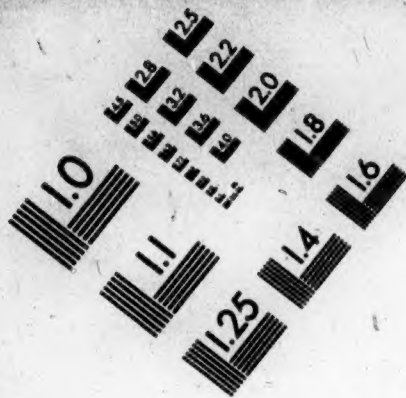


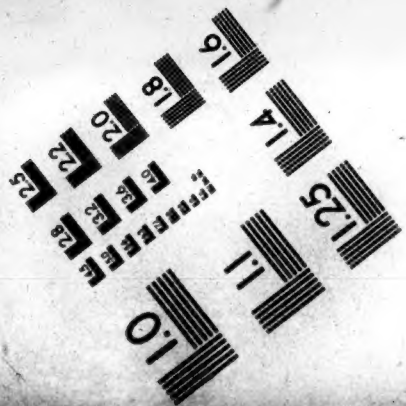
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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

ROLL 97

MISSISSIPPI CHOCTAW MCR 951 - MCR 1050

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1983

Choe. MCR 951

John McMennamy

See MCR 1020

MCR 951

John McMennamy

REFUSED

DECISION RENDERED. JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT

JUN 27 1962

**-NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.**

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUN 21 1962

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT - 9 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 17 1962

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 17 1902

REFER TO M. C. R. 1020.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCT. 25, 1900.

On the matter of the application of John McMennamy for identification as a Mississippi Choctaw, which he makes in his own behalf, said McMennamy, being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

Q What is your name? A John McMennamy.

Q Your age? A 23.

Q Your postoffice? A Colbert, I.T.

Q How long have you lived in Colbert? A Been around Colbert about 3 years.

Q Where did you live before you lived in Colbert? A Texas.

Q Ever live in Mississippi? A No sir.

Q What is your father's name? A Frank McMennamy.

Q What is your mother's name? A Laura.

Q Is he living or dead? A Living.

Q Is she living? A Yes.

Q Under which of these parents do you claim Choctaw blood? A Father.

Q Is the name of your father on any of the tribal rolls of the Choctaw Nation? A No sir, not that I know of.

Q Was he ever recognized by any of the Choctaw tribal authorities as a member of the Choctaw Nation? A Not that I know of.

Q Did he ever make application to them for enrollment as a Choctaw citizen? A No sir.

Q Is your name on any of the Choctaw tribal rolls? A No sir.

Q Were you ever recognized by the Choctaw tribal authorities as a member of the Choctaw Nation? A No sir.

Q Did you ever make application to this Commission under the Act of June 10, 1896? A No sir.

Q Were you ever admitted to citizenship in the Choctaw Nation by the judgment of the United States court on appeal from the decision of the Dawes Commission or on appeal from the decision of the Choctaw tribal authorities? A No sir.

Q This is the first application you have ever made? A Yes.

Q You now make application for identification as a Mississippi Choctaw? A Yes.

Q Who was the ancestor who lived in Mississippi under whom you now claim the right of identification as a Mississippi Choctaw? A Andrew Ward.

Q Under what treaty or treaties or parts of treaties do you now make this claim? A I don't know anything about the treaties.

Q Do you know anything about article 14 of the treaty of 1830?

A No sir.

Q Did you ever hear of it? A I have heard of it but never read the treaty.

Q Do you know anything about the laws which allow you to come here now and make this claim under that treaty? A No sir.

Q Did you ever hear of the Curtis Act? A I have heard of the Act, but never read what it was.

Q Did you ever read section 21 of the Curtis Act? A No sir.

Q You don't know then whether this ancestor under whom you claim the right to be identified, ever took advantage of the provisions of the Treaty of 1830? A No sir.

Q You don't know whether he ever held land in Mississippi as a beneficiary under that treaty? A No sir.

Q Did he ever hold land at all, that you know of? A Not that I know of.

#952.

Q You don't know whether he declared his intention to the Indian Agent within six months after the ratification of the treaty to remain in Mississippi and take land there? A No sir, I don't know.

Q What relation was Andrew Ward to you? A He is a great great grand father.

Q on your father's side? A Yes.

Q Was he a full blood? A Said to be, yes.

Q How much Choctaw did he claim? A About 1/16.

Q Have you his name in any record at your home? A No sir.

Q All you know is what you have been told in the family? A No sir.

Q Or do not know whether he is on the Mississippi Choctaw rolls? A I have been told so, but never saw the rolls myself.

Q Are you married? A No sir.

Q Make this claim for yourself? A Yes.

Q Have you any documentary evidence or affidavits that you wish to file now? A Not at the present.

Q Would you in the future? A Yes.

Q How much time would you like? A 15 days.

Motion of the attorney for the applicant is granted requesting 15 days from date hereof in which to file affidavits and other documentary proofs in support of the applicant's claim.

Is there anything further you would like to state? A No sir.

The decision of the Commission in the application for identification as a Mississippi Choctaw which you have just made, will be mailed to you at your present postoffice address.

Brown McDonald, having been first duly sworn, upon his oath states that as Stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 30th day of October, 1900.

Guy L. Emerson
Notary Public.

COPY.

M.C.R. 951

Muskogee, Indian Territory, June 21, 1902.

John McMennamy,

Colbert, Indian Territory.

Dear Sir:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Frank McMennamy, et al., embracing the following applications for identification as Mississippi Choctaws:

Frank McMennamy, et al.,	M.C.R. 1020
Frank L. McMennamy, et al.,	M.C.R. 1586
John McMennamy,	M.C.R. 951
Henry McMennamy, et al.,	M.C.R. 1019
Montie Harmon, et al.,	M.C.R. 1021
Allie Harmon, et al.,	M.C.R. 1312
Mattie Parker, et al.,	M.C.R. 947
George Stephens,	M.C.R. 953
Marshall Leonard,	M.C.R. 949
Isaac Leonard,	M.C.R. 950
George McMennamy (McMennamy)	M.C.R. 942
John D. McMennamy, et al.,	M.C.R. 1022
Josephine Stephens, et al.,	M.C.R. 943
James McMennamy	M.C.R. 945

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats.485) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

John McMennamy-----2

Said Decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMennamy, James Melvin McMennamy, Vera McMennamy, Beulah McMennamy, Mack McMennamy, Frank L. McMennamy, Florence McMennamy, Weaver McMennamy, Rayallie McMennamy, John McMennamy, Henry McMennamy, Nettie McMennamy, Artie McMennamy, Montie Harmon, Earnest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McMennamy (McMennamy), John D. McMennamy, Oscar Ray McMennamy, Una May McMennamy, Derris G. McMennamy, Thomas Dowell McMennamy, Tressie McMennamy, Orval McMennamy, Carl McMennamy, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McMennamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *I. B. Needles.*

Registered.

Commissioner in Charge.

COPY.

M. C. R. 951.

Muskogee, Indian Territory, October 17, 1902.

John McMennamy,

Colbert, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMennamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

(SIGNED)

John D. Dwyer

Acting Chairman.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

958

Oct. 24, 1900 (23,
John McMenamy
Colbert, I.T.

FATHER

Frank McMill

MOTHER

Laura McMill
Clair under father.

1011 1311
OCT 24 1900
MISSISSIPPI CHOCTAW

Choc. MCR 952

Laura Howell

MCR 952

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 24, 1900.

NO. 95.

In the matter of the application for identification as Mississippi Choctaws of Laura Howell on her own behalf and in behalf of her three minor children. Laura Howell, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Laura Howell.
- Q What is your age? A 34.
- Q What is your post office address? A Ravia, Indian Territory.
- Q Are you a resident of the Indian Territory? A Yes sir.
- Q How long have you resided in the Indian Territory?
- A Two months.
- Q Where did you live prior to your residence in the Indian Territory? A Mississippi.
- Q Came direct from Mississippi to the Indian Territory?
- A Yes sir.
- Q How long in Mississippi? A Lived there all my life, born and raised there.
- Q How much Choctaw blood do you claim? A 1/16.
- Q What is your father's name? A Phelix Sparks.
- Q Your father living? A Yes sir.
- Q What is your mother's name? A Betty Sparks.
- Q Your mother living? A Yes sir.
- Q Through which one of your parents do you claim your Choctaw blood? A My mother.
- Q Your mother's name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q She ever recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been recognized by any official act of their National Council as a citizen of the Choctaw Nation?
- A No sir.
- Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation, under act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, or the decision of this Commission?
- A No sir.
- Q Have you ever prior to this time made any application to either the authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is your first application of any description? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A I have been taught that by my mother.
- Q Taught that you are entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A Not that I know of.
- Q What was the name of your ancestor who resided in Mississippi in 1830, at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A Moses Duke.
- Q What relation was Moses Duke to you? A I don't know.
- Q Then why are you claiming any rights from Moses Duke? A He was related to my mother.
- Q What relation was he to your mother? A He was her great grandfather.
- Q Your mother's great grandfather? A My mother's mother's grandfather.
- Q Have you any evidence showing that Moses Duke was a recognized member of the Choctaw tribe of Indians in 1830? A I don't, only what I have been taught.
- Q What have you been taught? A You will have to give me plain questions, I cannot answer.
- Q How do you know Moses Duke was a Choctaw Indian? A Because my mother told me so.
- Q That the only reason you have for it? A Yes sir.
- Q Did Moses Duke, or any other of your ancestors, through whom you claim this right of identification, ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A Not that I know of.
- Q You make any claim by reason of any other treaty stipulations entered into between the Choctaw Indians and the United States? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A James Howell.
- Q He living? A Yes sir.
- Q Are you making any claim for him? A No sir.
- Q Have you any children? A Yes sir, three.
- Q What are their names and ages? A Gladys L. Howell, 6 years old; Jimmie Howell, 4 years; Stacy Howell, 2 years old.
- Q You are the mother of these three children? A Yes sir.
- Q They live with you at your home? A Yes sir.
- Q James Howell is the father? A Yes sir.
- Q Any additional statement that you desire to make in support of this application? A No sir.
- Q Any written evidence that you desire to submit? A Yes sir.

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application provided the same is filed within 15 days from this date.

Commission: Permission is granted the attorney for the ap-

plicant to file written evidence in support of this application provided the same is offered for filing with this Commission within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, having been first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 24th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this 14
day of November 1900.

Guy L. V. Emerson
Notary Public.

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,
Ardmore, Indian Territory,
Gentlemen:

The Commission is in receipt of your letter of March 11,
inclosing the following papers for filing:

Marriage license and certificate between J. E. Howell and
Miss L. D. Sparks, to be filed in support of the application for iden-
tification as Mississippi Choctaws of Laura Howell, et al.

Certified copy of marriage license and certificate between
Samuel William Denyer and Alice C. Gailhar, to be filed in support
of the application of Samuel W. Denyer et al. for identification as
Mississippi Choctaws.

Certificate of I. S. Rambo, clerk county court, Johnson
County, Tennesseeas to the marriage license between A. J. Snider and
A. E. Daney, to be filed in support of the application of Mandy
Snider for identification as a Mississippi Choctaw.

The papers have been duly filed with the other records in
these cases.

Yours truly,

Acting Chairman.

MC 791
MCR 952
MCR 1056

COMMISSIONERS:
HENRY L. DAWES,
TAMS DIXBY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 3, 1902.

Laura Howell,

Ravia, Indian Territory.

Dear Madam:

In the matter of the application for identification as a Mississippi Choctaw of Berge Duke, you are informed that under date of July 27, 1901, the Commissioner of Indian Affairs remanded to this Commission the record theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such application.

It appears from our records that at Muskogee, Indian Territory on October 24, 1900 you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and three minor children claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Meridian, Mississippi, on Thursday, February 6, 1902 at nine o'clock A. M. there will be heard the

L. H. 2.

testimony of such witnesses as present themselves in person in
support of your application.

Yours truly,

M. C. 952.

Commissioner in charge.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 962

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 27, 1902.

Laura Howell,

Ravia, Indian Territory.

Madam:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Joseph L. Mixon, et al., embracing the following applications for identification as Mississippi Choctaws:

Joseph L. Mixon, et al.,	M C R 788
Martin H. Duke, et al.,	M C R 332
Berge Duke,	M C R 333
Ruth Ada Duke,	M C R 334
Andrew J. Duke, et al.,	M C R 449
Mary Keziah Moore, et al.,	M C R 450
Jasper Weldon Allen, et al.,	M C R 452
Sallie A. Roberts et al.,	M C R 453
Edward E. Foster, et al.,	M C R 700
Ella C. Foster,	M C R 701
Dera F. Smith, et al.,	M C R 702
Elizabeth Sparks, et al.,	M C R 706
Turah Hughs, et al.,	M C R 708
William M. Foster et al.,	M C R 713
Thomas I. Sparks, et al.,	M C R 715
William W. Boucher, et al.,	M C R 718
Henry Tilden Smith,	M C R 753
Sidney B. Smith, et al.,	M C R 754
Rebecca Ellen Smith, et al.,	M C R 756
Sarah J. Foster, et al.,	M C R 757
Elizabeth Jones,	M C R 761
Thomas Smith,	M C R 763
M. D. Boucher, et al.,	M C R 766
Sarah White, et al.,	M C R 769
Lizzie White, et al.,	M C R 770
Artie F. Perry, et al.,	M C R 772
Mary K. Luther, et al.,	M C R 774
Sarah L. Cooper, et al.,	M C R 777
Agnes Nelson,	M C R 783
Sarah Ellmina Bryant, et al.,	M C R 785
Beulah B. Ricks, et al.,	M C R 789
Mary S. Foster, et al.,	M C R 794
Richard W. Foster,	M C R 798
Bartlett S. Duke, et al.,	M C R 816

Lycurgua Duke, et al.,	M C R	823
William S. Luther,	M C R	825
William J. A. Smith, et al.,	M C R	902
Laura Howell, et al.,	M C R	952
William A. Sparks, et al.,	M C R	954
Frank Duke,	M C R	1235
Henderson Duke, et al.,	M C R	1236
Richard M. Scott, et al.,	M C R	2593
Thomas Drue Foster,	M C R	2974
John G. Foster, et al.,	M C R	3037
Andrew J. Foster, et al.,	M C R	3038
Thomas P. Duke,	M C R	3104
Bartlett S. Duke, et al.,	M C R	3105
Braddy S. Duke, et al.,	M C R	3106
Pearl Scott,	M C R	3137
Tiff F. Scott,	M C R	3138
Lockey Virginia Perry, et al.,	M C R	941
William Wiley Perry,	M C R	944
Mary Luvenia Carlisle,	M C R	946
Washington S. Perry,	M C R	974
Thomas L. Mixon,	M C R	4922
Stephen T. Duke,	M C R	4923

These applications were made under the provision of the Act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Joseph L. Mixon, Joseph Emmett Mixon, Martin H. Duke, Alonzo H. Duke, Thomas L. Duke, Berge Duke, Ruth Ada Duke, Andrew J. Duke, Elizabeth Caroline Duke, Elsie Jane Duke, George B. Duke, Lillie G. Duke, Birdie Duke, Mary Keziah Moore, William Elmer Moore, Effie May Moore, John V. Allen, Andrew B. Allen, Sallie A. Roberts, Walter A. Roberts, Nora Odessa Roberts, Edward E. Foster, Ada B. Foster, Maud Z. Foster, Ella C. Foster, Dera F. Smith, Erin Smith, Lila Smith, Iva Smith, Elizabeth Sparks, Turah Hughs, William Claudie Hughs, William M. Foster, William Pen Foster, Milla Foster, Bettie Foster, Thomas I. Sparks, Ora T. Sparks, Richard W. Sparks, Freddie C. Sparks, Nettie E. Sparks, William W. Boucher, Sarah Ann Boucher, Jeff T. Boucher, Mary A. Boucher, Harper Duke Boucher, Flora Eunice Boucher, Henry Tilden Smith, Sidney B. Smith, Rebecca Ellen Smith, Rufus J. Smith, Sarah C. Smith, Florence King, Sarah J. Foster, Gatsy Ann Foster, Elizabeth Jones, Thomas Smith, M. D. Boucher, Edward E. Boucher, Haze D. Boucher, Arthur Eugene Boucher, James Quinton Boucher, Leon Boucher, Sarah White, Willie B. White, Ida May White, Lizzie White, Hester Lee White, Claudie White, William Jarrett White, Rena K. White, Artie F. Perry, Bradford Perry, Orion R. Perry, Harvey P. Perry, Nancy K. Luther, Jarrett H. Luther, Roy L. Luther, Roxy M. Luther, Lela Luther, Sarah L. Cooper, Nancy Jane Cooper, George Washington Cooper, James William Cooper, Mary Louisa Cooper, Calvin Hilly Cooper, Agnes Nelson, Sarah Ellmina Bryant, Lillie Bryant, Daisy Bryant, Charlie Bryant, Carl Bryant, Beulah B. Ricks, Joseph Lawrence Ricks, Thaddeus Benton Ricks, Alonza Preston Ricks, Mary S. Foster, Roscoe Foster, Everett A. Foster, Richard W. Foster, Bartlett S. Duke, Tobitha A. Duke, Andrew J. Duke, Geneva Pearl Duke, Lycurgus Duke, Parlee C. Duke, Nellie A. Duke, William S. Luther, William J. A. Smith, Thomas C. Smith, Eddie Lee Smith, Laura Howell, Gladys L.

Howell, Jimmie Howell, Stacy Howell, William A. Sparks, Harvey Sparks, Brady Sparks, David Sparks, Frank Duke, Henderson Duke, Carrie Duke, Claude Duke, Ella Duke, Richard M. Scott, Maymee Scott, Thomas Drue Foster, John G. Foster, Andrew J. Foster, Ouida Foster, Charles H. Foster, Jackson Foster, Thomas P. Duke, Bartlett S. Duke, Alfred Duke, James William Duke, Braddy S. Duke, Pearl Scott, Tiff F. Scott, Lockey Virginia Perry, Margaret Leticia Perry, Malinda Lucretia Perry, Pearly Ophelia Perry, John Riley Jackson Perry, William Wiley Perry, Mary Luvenia Carlisle, Washington S. Perry, Thomas L. Mixon and Stephen T. Duke, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of the said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

It is the further opinion of the Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Martin H. Duke for the identification of his wife, Mary Ann Duke, that made by Andrew J. Duke for the identification of his wife, Lucinda J. Duke, that made by Elizabeth Sparks for the identification of her husband, Felix Sparks, that made by Turah Hughes for the identification of her husband, John W. Hughes, that made by Thomas I. Sparks for the identification of his wife, Dora A. Sparks, that made by William W. Boucher for the identification of his wife, Mary Elizabeth Boucher, that made by Sidney B. Smith for the identification of his wife, Dollie L. Smith, that made by John G. Foster for the identification of his wife, Jemima J. Foster, that made by Andrew J. Foster for the identification of his wife, Myrtis C. Foster, that made by Bartlett S. Duke for the identification of his wife, Rosie Duke, that made by Braddy S. Duke for the identification of his wife, Maude Duke, and that made by Jasper Weldon Allen for the identification of himself, in each case as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Tame Litoy.

Acting Chairman.

Register.

M.C.R. 932

Muskogee, Indian Territory, November 24, 1902.

Laura Howell,

Maya, Indian Territory.

Dear Madam:

You are hereby notified that on the 14th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Joseph L. Nixon, et al., of which decision you were advised by registered mail on the 29th day of May, 1902.

Respectfully,

(SIGNED),

Muskogee, Indian Territory, December 7, 1903.

Layra Howell,

Ravia, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of November 25, 1903, returned to this Commission the record theretofore forwarded the Department in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al., with instructions that the applicants be granted an opportunity to introduce further testimony and evidence in support of their claim.

The Secretary of the Interior in his letter states:

"October 7, 1903, you transmitted a petition for a rehearing in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al. (M.C.R. 788). Attached to said petition are the affidavits of certain of the applicants in said case, also the affidavit of a full blood Choctaw named John Lewis, who was a resident of the old Choctaw Nation in 1830.

The applicants in this case claim their right to identification as Mississippi Choctaws by reason of their descent from Thomas and Elizabeth Foster. Thomas Foster was an one-half blood Indian who, it is alleged, was a resident of Mississippi in 1830, and complied or attempted to comply with the provisions of article 14 of the Choctaw treaty of that year. The maiden name of Elizabeth Foster was Elizabeth Duker.

From the affidavit of John Lewis it appears that he was acquainted with said Thomas Foster and with his three brothers, William, James and Hugh Foster; that he was with the Foster brothers in the summer of 1831 at the Union Agency, Mississippi, and that all of said brothers signified their intention to Col. Ward to remain in Mississippi and become citizens of that state.

From the records of the Government it appears that William, James and Hugh Foster were beneficiaries under article 14 of the treaty. It also appears that scrip was issued to one

Thomas Foster, under the provisions of said article, by virtue of the subsequent legislation enacted in reference thereto.

Inasmuch as the showing made in said petition and in the affidavits in support thereof, is corroborated by the records of the Government relating to persons who complied with article 14 of the treaty of 1830, it is considered that a further investigation should be had in this matter."

The Commission is directed to advise you that said records relating to the compliance of persons with the provisions of article 14, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

- 1st. Their description.
- 2nd. Their residence and improvements (usually locating the same by reference to some town, county, body of water or public road).
- 3rd. Their Choctaw as well as their English names.
- 4th. The names and number of the persons who composed their families.
- 5th. The names of their neighbors and immediate associates,

and that for the purpose of comparison, testimony of like character should be furnished relative to the applicants' ancestors.

You are advised that the Commission is averse to the acceptance of ex parte affidavits in support of Mississippi Choctaw cases, and prefers, whenever possible, to have the personal appearance of witnesses for examination under oath. In the event that

such witnesses are unable to make personal appearance on account of old age or infirmity, or are non-residents of Indian Territory, their depositions may be considered when taken in conformity with the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws, a copy of which rules and regulations is herewith enclosed.

In accordance with the instructions above referred to, you are hereby notified that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, at any time within thirty days from the date upon which you receive this notice, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered in support of this case, notice of the taking of such testimony or offering of documentary evidence being first served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

R & R Dep.
Registered

Chairman.

M.C.R. 952.

Muskogee, Indian Territory, May 11, 1905.

Laura Howell,

Wavie, Indian Territory.

Dear Madam:

You are hereby notified that on May 28, 1905, the Secretary of the Interior reaffirmed the decision of this Commission of May 13, 1905, refusing the applications for identification as Mississippi Choctaws, of the several persons included in the consolidated case of Joseph L. Nixon et al.

You are advised that a copy of the decision of the Secretary of the Interior in this case has been furnished L. B. Horton, Attorney at Law, Durant, Indian Territory, and Messrs. Herbert, Walker & Cannon, Attorneys at Law, Ardmore, Indian Territory, attorneys for the several persons included in this consolidated case.

Respectfully,

Gahirman.

MOR-952

Muskogee, Indian Territory, March 9, 1907.

Laura Howell,
Ravia, Indian Territory.

Dear Madam:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied the motions filed by J. O. Pool, attorney at law, South McAlester, Indian Territory, and Gilbert & Bond, attorneys at law, Duncan, Indian Territory, for a rehearing in the consolidated Mississippi Choctaw case of Joseph L. Nixon et al.

Respectfully,

Commissioner.

959

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

1/16 OCT 24 1900
Laura Howell. 24.
Ravie, J. D.

FATHER: Felix Sparks - ✓
MOTHER: Betty Sparks - ✓
Claims through mother.

HUSBAND: James Howell - ✓
(No claim for husband).

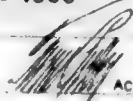
CHILDREN:

Glady L. Howell 6.
Gimmie " 4.
Stacy " 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 24 1900



ACTING CHAIRMAN

NOTICE OF DECISION: MAILED APPLICANT.
MAY 27 1902
NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.
MAY 27 1902
NOTICE OF DECISION: MAILED APPLICANT.
FOR CHOCTAW AND CHICKASAW NATIONS.
MAY 27 1902
RECORD FORWARDED DEPARTMENT.
MAY 27 1902
ACTION APPROVED BY SECRETARY OF INTERIOR
NOV 14 1902
NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.
NOV 14 1902
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
NOV 24 1902
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR CHOCTAW
AND CHICKASAW NATIONS.
NOV 24 1902
REMAINED BY THE SECRETARY OF
INTERIOR FOR FURTHER HEARING.
NOV 25 1903
RECORD FORWARDED DEPARTMENT. AUG 24 1904
ACTION APPROVED BY SECRETARY OF INTERIOR. APR 22
NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. MAY 11 1905
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. MAY 11 1905
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
MAY 11 1905
MAY 11 1905

952

open through a mistake

Laura Howell

Laura Howell

Redd

Shannon

Department of the Interior.

Commission to the Five Civilized Tribes
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.





Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



RETURN TO WRITER

Laura Howell

UNCLAIMED

Per 104

~~Howell~~

Stavia

J.S.

8200

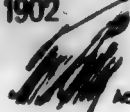
3908

952

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JUL 10 1902



ACTING CHAIRMAN



Choc MCR 953

George Stephens

MCR 953

George Stephens

REFUSED

DECISION RENDERED. JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT:

JUN 10 1902

NOTICE OF DECISION RENDERED
ATTORNEYS FOR CHICKASAW NATIONS

NOTICE OF DECISION RENDERED
ATTORNEYS FOR CHICKASAW NATIONS

JUN 10 1902

RECORD FORWARDED TO DEPARTMENT.

ACTION RENDERED BY DEPT. OF INTERIOR

JUN 10 1902

NOTICE OF DECISION RENDERED
FORWARD TO DEPT. OF INTERIOR

JUN 10 1902

NOTICE OF DECISION RENDERED
FORWARD TO DEPT. OF INTERIOR

NOTICE OF DECISION RENDERED
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS:

JUN 10 1902

REFER TO M. C. R. 1020.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCTOBER 25, 1900.

In the matter of the application for identification as a Mississippi Choctaw of George Stephens, which he makes in his own behalf, said George Stephens being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

- Q What is your name? A George Stephens.
Q Your age? A 21.
Q Your postoffice address? A Robber's Roost, I.T.
Q How long have you lived there? A Five --- (years?) (months?)
Q Where did you live before you lived there? A Texas.
Q How long did you live in Texas? A Born and raised there until I came to the Territory.
Q What is the name of your father? A John Stephens.
Q What is your mother's name? A Mary Stephens.
Q Is your father living? A No sir.
Q Was he a white man? A Yes.
Q Is your mother living? A No sir.
Q Was she a Mississippi Choctaw? A Yes, that is what they claim.
Q How much blood do you claim? A 1/16.
Q Is the name of your mother on any of the Choctaw rolls? A No sir, not that I know of.
Q Was she ever recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A Not that I know of.
Q Do you know whether she ever made application to the Choctaw tribal for enrollment? A Not that I know of.
Q Did she ever live in the Indian Territory? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Ever recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
Q Did you ever make application to them for enrollment? A No sir.
Q Did you ever make application to the Dawes Commission for enrollment? A No sir.
Q Is this the first application you have ever made either to the Dawes Commission or to the Choctaw tribal authorities for admission into the Choctaw Nation as a citizen? A No sir.
Q This is the first application then you have ever made to the Dawes Commission for identification as a Mississippi Choctaw? A Yes.
Q Or for enrollment as a Choctaw by blood? A Yes.
Q What makes you think you are a Choctaw citizen by blood? A I have been taught that by my mother.
Q What did your mother tell you about it? A She claimed that I was kin to the Ward family.
Q What was the name of the ancestor who lived in Mississippi under whom you claim the right of identification as a Mississippi Choctaw? A Andrew Ward.
Q Was he a full-blood Choctaw? A Yes, supposed to be.
Q Did he live in Mississippi? A I could not tell you.
Q Do you know whether or not he was living in Mississippi at the time the treaty was made between the United States and the Mississippi Choctaws? A No sir, I don't know.
Q You don't know whether his name was on any of the tribal rolls of the Choctaws in Mississippi? A No sir.
Q You don't know whether he received land in Mississippi under ar-

#953-2.

title 14 of the treaty of 1830? A No sir.

Q You never heard that he received land from the United States Government? A No sir.

Q Do you know whether or not he ever had any land in Mississippi? A No sir.

Q Did you ever read the treaty of 1830? A No sir, I don't know anything about it.

Q Don't know anything about its provisions? A No sir.

Q Under what laws and treaties do you claim? A No treaty at all.

Q Do you claim under some treaty or do you claim under all laws and all treaties? A I don't claim under any treaty at all.

Q The only right that this Commission has to hear your application for identification as a Mississippi Choctaw, is the right given it pursuant to the treaty of 1830, you must therefore, claim under that treaty, mustn't you? A I don't know nothing about treaties at all.

Q Are you married? A No sir.

Q You make this application for yourself alone? A Yes.

Q Have you any documents that you want to introduce at this time and make a part of your application, or any affidavits that you would like to file? A No sir.

Applicant's counsel asks for 15 days in which to file affidavits.

Q Your attorney asks for 15 days time in which to file affidavits and other documents, do you wish that time granted? A Yes.

On motion of the attorney for the applicant 15 days time is granted from the date of this hearing in which to file affidavits and other documentary proof which he thinks necessary in support of his claim.

Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to the application which you have just made for identification as a Mississippi Choctaw, will be mailed to you at your present postoffice address in the near future.

Brown McDonald, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 30th day of October, 1900.

Wm L. Lomen
Notary Public.

COPY.

M.C.R. 953.

Muskogee, Indian Territory June 21, 1902.

George Stephens;

Robberroost, Indian Territory.

Dear Sir:-

You are hereby advised that on the 10th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Frank McMennany, et al., embracing the following applications for identification as Mississippi Choctaws:

Frank McMennany, et al.,	M.C.R.	1020
Frank L. McMennany, et al.,	M.C.R.	1566
John McMennany,	M.C.R.	951
Henry McMennany, et al.,	M.C.R.	1019
Montie Harmon, et al.,	M.C.R.	1021
Allie Harmon, et al.,	M.C.R.	1312
Mattie Parker, et al.,	M.C.R.	947
George Stephens,	M.C.R.	953
Marshal Leonard,	M.C.R.	949
Isaac Leonard,	M.C.R.	950
George McMennany (McMennany)	M.C.R.	942
John D. McMennany, et al.,	M.C.R.	1022
Josephine Stephens, et al.,	M.C.R.	943
James McMennany,	M.C.R.	948.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 498) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

G. S. #2

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMennamy, James Melvin McMennamy, Nora McMennamy, Beulah McMennamy, Mack McMennamy, Frank L. McMennamy, Florence McMennamy, Weaver McMennamy, Rayallie McMennamy, John McMennamy, Henry McMennamy, Nettie McMennamy, Artie McMennamy, Montie Harmon, Earle St Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McMennamy (McMennamy), John D. McMennamy, Oscar Ray McMennamy, Una May McMennamy, Dorris G. McMennamy, Thomas Dowell McMennamy, Tressie McMennamy, Orval McMennamy, Carl McMennamy, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McMennamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED,

T. B. McCallie.

Registered.

Commissioner in Charge.

COPY.

M.C.R. 953.

Muskogee, Indian Territory, October 17, 1902.

George Stephens,

Robbercoast, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMennamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

(SIGNED)

James D. Smith
Acting Chairman.

953

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Oct. 24, 1900

George Stephens - 21
Robt's Root
J.T.

Father
John Stephens
Mother

Mary Stephens
Claims under
Moshers

FILED
OCT 24 1900
COMMISSION TO FIVE TRIGLES

Choc. MCR 954

William A. Sparks

MCR 954

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 24, 1900.

NO. 954.

In the matter of the application for identification as a Mississippi Choctaw of William A. Sparks, which he makes on his own behalf, and in behalf of his three minor children. William A. Sparks, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A William A. Sparks.
Q What is your age? A 28.
Q What is your post office address? A Ravia, I. T.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
A About two months. Came the 17th of August.
Q Where did you live before that time? A In Mississippi, born and raised there.
Q Lived there all your life until you came to the Indian Territory two months ago? A Yes sir.
Q How much Choctaw blood do you claim? A 1/16.
Q What is your father's name? A Felix Sparks.
Q Living? A Yes sir.
Q What is your mother's name? A Elizabeth Sparks.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Is your mother's name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Has she ever been recognized by the Choctaw tribal authorities as a citizen of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in that Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation?
A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by decision of the United States Court for the Indian Territory on appeal from the decision of this Commission, or the decision of the Choctaw tribal authorities?
A No sir.
Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
Q This is your first application of any description? A Yes sir.
Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A I don't know, only what I have been told.

- Q You have been told what? A That I have rights here.
- Q Under the 14th article of the treaty of 1830? A Yes sir.
- Q You make your claim as a beneficiary under the 14th article of the treaty of 1830? A Yes sir.
- Q Did you or any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830?
- A Not that I know of.
- Q What was the name of your ancestors who resided in Mississippi in 1830 at the time the treaty was entered into between the Choctaw tribe of Indians and the United States, and who was at that time a recognized member of that tribe? A I cannot tell you.
- Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14 article of the treaty of 1830? A No sir, not that I know of.
- Q Do you make any claim by reason of any other treaty stipulations between the United States and the Choctaw Indians?
- A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Betty Sparks.
- Q Betty Sparks living? A Yes sir.
- Q Making any claim for her? A No sir.
- Q How old is she? A 26.
- Q Where did you marry her? A In Mississippi.
- Q When did you marry her? A In 1892.
- Q Married her in accordance with the laws of the state of Mississippi? A Yes sir.
- Q Have you your marriage license and certificate? A Yes sir.
- Q It will be necessary for you to exhibit to the Commission your marriage license and certificate in the matter of the application for identification of your children.
- Q How many children have you? A Three.
- Q Give their names and ages. A Harvey Sparks, 5; Brady Sparks, 3, and David, 2 years old.
- Q You the father of these three children? A Yes sir.
- Q Betty Sparks the mother? A Yes sir.
- Q They all live with you at your home? A Yes sir.
- Q Any additional statement that you desire to make in support of your application? A No sir.
- Q Any written evidence you desire to offer the Commission for its consideration? A Yes sir.

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is filed within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your three minor children will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 24th day of October, 1900, and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord.

Subscribed and affirmed to before me this 14
day of Nov 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, January 3, 1902.

William A. Sparks,
Ravia, Indian Territory.

Dear Sir:

In the matter of the application for identification as a Mississippi Choctaw of Berge Duke, you are informed that under date of July 27, 1901, the Commissioner of Indian Affairs remanded to this Commission the record theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such application.

It appears from our records that at Muskogee, Indian Territory on October 24, 1900 you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and three minor children claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Norman, Mississippi on Thursday, February 6, 1902 at nine o'clock A. M. there will be heard the

W. A. R. B.

testimony of such witnesses as present themselves in person in
support of your application.

Yours truly,

N. C. 954.

Commissioner in charge.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

M C R 954

ADDRESS IN REPLY TO THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 27, 1902.

William A. Sparks,

Ravia, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Joseph L. Mixon, et al., embracing the following applications for identification as Mississippi Choctaws:

Joseph L. Mixon, et al.,	M C R	788
Martin H. Duke, et al.,	M C R	332
Berge Duke,	M C R	333
Ruth Ada Duke,	M C R	334
Andrew J. Duke, et al.,	M C R	449
Mary Keziah Moore, et al.,	M C R	450
Jasper Weldon Allen, et al.,	M C R	452
Sallie A. Roberts et al.,	M C R	453
Edward E. Foster, et al.,	M C R	700
Ella C. Foster,	M C R	701
Dera F. Smith, et al.,	M C R	702
Elizabeth Sparks, et al.,	M C R	706
Turah Hughs, et al.,	M C R	708
William M. Foster et al.,	M C R	713
Thomas I. Sparks, et al.,	M C R	715
William W. Boucher, et al.,	M C R	718
Henry Tilden Smith,	M C R	753
Sidney B. Smith, et al.,	M C R	754
Rebecca Ellen Smith, et al.,	M C R	756
Sarah J. Foster, et al.,	M C R	757
Elizabeth Jones,	M C R	761
Thomas Smith,	M C R	763
M. D. Boucher, et al.,	M C R	766
Sarah White, et al.,	M C R	769
Lizzie White, et al.,	M C R	770
Artie F. Perry, et al.,	M C R	772
Mary K. Luther, et al.,	M C R	774
Sarah L. Cooper, et al.,	M C R	777
Agnes Nelson,	M C R	783
Sarah Ellmina Bryant, et al.,	M C R	785
Beulah B. Ricks, et al.,	M C R	789
Mary S. Foster, et al.,	M C R	794
Richard W. Foster,	M C R	798
Bartlett S. Duke, et al.,	M C R	816

Lycurgus Duke, et al.,	M C R	823
William S. Luther,	M C R	825
William J. A. Smith, et al.,	M C R	902
Laura Howell, et al.,	M C R	952
William A. Sparks, et al.,	M C R	954
Frank Duke,	M C R	1235
Henderson Duke, et al.,	M C R	1236
Richard M. Scott, et al.,	M C R	2593
Thomas Drue Foster,	M C R	2974
John G. Foster, et al.,	M C R	3037
Andrew J. Foster, et al.,	M C R	3038
Thomas P. Duke,	M C R	3104
Bartlett S. Duke, et al.,	M C R	3105
Braddy S. Duke, et al.,	M C R	3106
Pearl Scott,	M C R	3137
Tiff F. Scott,	M C R	3138
Lockey Virginia Perry, et al.,	M C R	941
William Wiley Perry,	M C R	944
Mary Lavenia Carlisle,	M C R	946
Washington S. Perry,	M C R	974
Thomas L. Mixon,	M C R	4922
Stephen T. Duke,	M C R	4923

These applications were made under the provision of the Act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Joseph L. Mixon, Joseph Emmett Mixon, Martin H. Duke, Alonzo H. Duke, Thomas L. Duke, Berge Duke, Ruth Ada Duke, Andrew J. Duke, Elizabeth Caroline Duke, Elsie Jane Duke, George B. Duke, Lillie G. Duke, Birdie Duke, Mary Keziah Moore, William Elmer Moore, Effie May Moore, John V. Allen, Andrew B. Allen, Sallie A. Roberts, Walter A. Roberts, Nora Odessa Roberts, Edward E. Foster, Ada B. Foster, Maud Z. Foster, Ella C. Foster, Dera F. Smith, Erin Smith, Lila Smith, Iva Smith, Elizabeth Sparks, Turah Hughs, William Claudie Hughs, William M. Foster, William Pen Foster, Milla Foster, Bettie Foster, Thomas I. Sparks, Ora T. Sparks, Richard W. Sparks, Freddie C. Sparks, Nettie E. Sparks, William W. Boucher, Sarah Ann Boucher, Jeff T. Boucher, Mary A. Boucher, Harper Duke Boucher, Flora Eunice Boucher, Henry Tilden Smith, Sidney B. Smith, Rebecca Ellen Smith, Rufus J. Smith, Sarah C. Smith, Florence King, Sarah J. Foster, Gatsy Ann Foster, Elizabeth Jones, Thomas Smith, M. D. Boucher, Edward E. Boucher, Haze D. Boucher, Arthur Eugene Boucher, James Quinton Boucher, Leon Boucher, Sarah White, Willie B. White, Ida May White, Lizzie White, Hester Lee White, Claudie White, William Jarrett White, Rena K. White, Artie F. Perry, Bradford Perry, Orion R. Perry, Harvey P. Perry, Nancy K. Luther, Jarrett H. Luther, Roy L. Luther, Roxy M. Luther, Lela Luther, Sarah L. Cooper, Nancy Jane Cooper, George Washington Cooper, James William Cooper, Mary Louisa Cooper, Calvin Hilly Cooper, Agnes Nelson, Sarah Ellmina Bryant, Lillie Bryant, Daisy Bryant, Charlie Bryant, Carl Bryant, Beulah B. Ricks, Joseph Lawrence Ricks, Thaddeus Benton Ricks, Alonza Preston Ricks, Mary S. Foster, Roscoe Foster, Everett A. Foster, Richard W. Foster, Bartlett S. Duke, Tobitha A. Duke, Andrew J. Duke, Geneva Pearl Duke, Lycurgus Duke, Parlee C. Duke, Nellie A. Duke, William S. Luther, William J. A. Smith, Thomas C. Smith, Eddie Lee Smith, Laura Howell, Gladys L.

Howell, Jimmie Howell, Stacy Howell, William A. Sparks, Harvey Sparks, Brady Sparks, David Sparks, Frank Duke, Henderson Duke, Carrie Duke, Claude Duke, Ella Duke, Richard M. Scott, Maymeo Scott, Thomas Drue Foster, John G. Foster, Andrew J. Foster, Ouida Foster, Charles H. Foster, Jackson Foster, Thomas P. Duke, Bartlett S. Duke, Alfred Duke, James William Duke, Braddy S. Duke, Pearl Scott, Tiff F. Scott, Lockey Virginia Perry, Margaret Leticia Perry, Malinda Lucretia Perry, Pearly Ophelia Perry, John Riley Jackson Perry, William Wiley Perry, Mary Luvenia Carlisle, Washington S. Perry, Thomas L. Mixon and Stephen T. Duke, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of the said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

It is the further opinion of the Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Martin H. Duke for the identification of his wife, Mary Ann Duke, that made by Andrew J. Duke for the identification of his wife, Lucinda J. Duke, that made by Elizabeth Sparks for the identification of her husband, Felix Sparks, that made by Turah Hughs for the identification of her husband, John W. Hughs, that made by Thomas I. Sparks for the identification of his wife, Dora A. Sparks, that made by William W. Boucher for the identification of his wife, Mary Elizabeth Boucher, that made by Sidney B. Smith for the identification of his wife, Dollie L. Smith, that made by John G. Foster for the identification of his wife, Jemima J. Foster, that made by Andrew J. Foster for the identification of his wife, Myrtis C. Foster, that made by Bartlett S. Duke for the identification of his wife, Rosie Duke, that made by Braddy S. Duke for the identification of his wife, Maude Duke, and that made by Jasper Weldon Allen for the identification of himself, in each case as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Register.

M.C.R. 954

Muskogee, Indian Territory, November 24, 1902.

William A. Sparks,

Ravia, Indian Territory.

Dear Sir:

You are hereby notified that on the 14th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Joseph L. Nixon, et al., of which decision you were advised by registered mail on the 27th day of May, 1902.

Respectfully,

C. D. HED

Acting Chairman.

Muskogee, Indian Territory, December 7, 1903.

William A. Sparks,

Ravia, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of November 25, 1903, returned to this Commission the record theretofore forwarded the Department in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al., with instructions that the applicants be granted an opportunity to introduce further testimony and evidence in support of their claim.

The Secretary of the Interior in his letter states:

"October 7, 1903, you transmitted a petition for a rehearing in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al. (M.C.R. 788). Attached to said petition are the affidavits of certain of the applicants in said case, also the affidavit of a full blood Choctaw named John Lewis, who was a resident of the old Choctaw Nation in 1830.

The applicants in this case claim their right to identification as Mississippi Choctaws by reason of their descent from Thomas and Elizabeth Foster. Thomas Foster was an one-half blood Indian who, it is alleged, was a resident of Mississippi in 1830, and complied or attempted to comply with the provisions of article 14 of the Choctaw treaty of that year. The maiden name of Elizabeth Foster was Elizabeth Dukes.

From the affidavit of John Lewis it appears that he was acquainted with said Thomas Foster and with his three brothers, William, James and Hugh Foster; that he was with the Foster brothers in the summer of 1831 at the Union Agency, Mississippi, and that all of said brothers signified their intention to Col. Ward to remain in Mississippi and become citizens of that state.

From the records of the Government it appears that William, James and Hugh Foster were beneficiaries under article 14 of the treaty. It also appears that scrip was issued to one

Thomas Moran, under the provisions of said article, by virtue of the subsequent legislation enacted in reference thereto.

The same facts made in said petition and in the affidavits in support thereof, is corroborated by the records of the Government relating to persons who complied with article 14 of the treaty of 1830, it is considered that a further investigation should be had in this matter."

The Commission is directed to advise you that said records relating to the compliance of persons with the provisions of article 14, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

- 1st. Their description.
- 2nd. Their residence and improvements (usually locating the same by reference to some town, county, body of water or public road).
- 3rd. Their Choctaw as well as their English names.
- 4th. The names and number of the persons who composed their families.
- 5th. The names of their neighbors and immediate associates,

and that for the purpose of comparison, testimony of like character should be furnished relative to the applicants' ancestors.

You are advised that the Commission is averse to the acceptance of ex parte affidavits in support of Mississippi Choctaw cases, and prefers, whenever possible, to have the personal appearance of witnesses for examination under oath. In the event that

such witnesses are unable to make personal appearance on account of old age or infirmity, or are non-residents of Indian Territory, their depositions may be considered when taken in conformity with the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws, a copy of which rules and regulations is herewith enclosed.

In accordance with the instructions above referred to, you are hereby notified that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, at any time within thirty days from the date upon which you receive this notice, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered in support of this case, notice of the taking of such testimony or offering of documentary evidence being first served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

R & R Dep.
Registered

Chairman.

Muskogee Indian Territory, May 11, 1905.

William A. Sparks,
Ravia, Indian Territory.

Dear Sir:

You are hereby notified that on April 28, 1905, the Secretary of the Interior reaffirmed the decision of this Commission of May 13, 1902, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Joseph L. Nixon et al.

You are advised that a copy of the decision of the Secretary of the Interior in this case has been furnished L. B. Horton, Attorney at Law, Durant, Indian Territory, and Messrs. Herbert, Walker & Cannon, Attorneys at Law, Ardmore, Indian Territory, attorneys for the several applicants in this consolidated case.

Respectfully,

Chairman.

MCR-954

Muskogee, Indian Territory, March 9, 1907.

William A. Sparks,
Ravia, Indian Territory.

Dear Sir:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied the motions filed by J. O. Pool, attorney at law, South McAlester, Indian Territory, and Gilbert & Bond, attorneys at law, Duncan, Indian Territory, for a rehearing in the consolidated Mississippi Choctaw case of Joseph L. Nixon et al.

Respectfully,

Commissioner.

R.954

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

OCT 24 1900

1/16
William J. Sparks. 28.
Ravia, S. J.

FATHER: *Felix Sparks - ✓*

MOTHER: *Elizabeth Sparks - ✓*

Claims through mother.

WIFE: *Betty Sparks - 26.*
(No claim for wife).

CHILDREN:

Harvey Sparks 5.

Brady " 3

David " 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 24 1900

[Signature]
ACTING CHAIRMAN.

JULY 19 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
MAY 27 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
MAY 27 1902

1902

1902

1902

1902

REMAINING MATTER TO BE DECIDED BY THE SECRETARY OF INTERIOR FOR FURTHER HEARING.
1902

CORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED AT TOWNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT.

MAY 11 1905

MAY 11 1905

M.C.H. 788

Choc. MCR 955

Wm. Alexander Crowley

See MCR 939

MCR 955

MISSISSIPPI CHOCTAW
Wm Alexander Browley et al

REFUSED

DECISION RENDERED. JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 939.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCTOBER 25, 1900.

In the matter of the application of William A. Crowley for indentification as a Mississippi Choctaw, which he makes in his own behalf and in behalf of one minor child, said William A. Crowley being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

Q What is your name? A William A. Crowley.
Q Your age? A 29.
Q Your postoffice address? A Caddo, Ind. Ter.
Q How long have you lived in Caddo? A I have lived right near by there about three months.
Q Where did you live before you lived in Caddo? A I have been right close around Caddo ever since the 13th day of July this year, and before that I lived in Mississippi.
Q You came from Mississippi here last July? A Yes, 13th of July. I got here.
Q Born in Mississippi? A Yes.
Q What is your father's name? A William R. Crowley.
Q Living? A Yes.
Q What is your mother's name? A Lizzie H. Crowley.
Q Is she living? A yes.
Q Under which parent do you claim to be Choctaw? A Mother.
Q How much Choctaw blood do you claim? A 1/8.
Q Did your mother ever live in the Indian Territory? A Not until this summer past?
Q She came here last July? A yes.
Q That was the first time she ever came to the Territory? A Yes.
Q Her name is not on the Choctaw tribal rolls of the Indian Territory? A No sir.
Q Never been recognized by the Indian authorities here? A No sir.
Q Never made application as a citizen of the Choctaw Nation? A No.
Q Is your name on any of the tribal rolls? A No sir.
Q Did you ever make application for admission to citizenship with the Nation? A No sir.
Q Did you ever make application to the Dawes Commission before? A No sir.
Q Is this the first application you have ever made? A Yes.
Q Are you married? A yes.
Q Are you making application for anyone besides yourself? A My child.
Q Has anyone else ever made application for your child? A No sir.
Q Is this the first application you have ever made for yourself or your child? A Yes.
Q You seek to be identified as Mississippi Choctaw? A yes.
Q What proof have you to offer that you are a lineal descendant of a Mississippi Choctaw who lived in Mississippi in 1830? A Well, I have none, only I have always been taught that I was a Mississippi Choctaw and my looks is about all the proof I have got.
Q Who taught you? A I have been taught that by my mother all her life and it was generally taught always that we were part Indian.
Q Did your mother ever tell you how much Choctaw blood she had? A I don't know that she ever told me particularly how much she had up until last year.
Q Did she ever tell you who the ancestor was who lived in Mississippi in 1830? A No sir, I don't remember that she ever did.
Q Do you know the name of the ancestor who lived in Mississippi in

1830 under whom you now claim your right to be identified as a Mississippi Choctaw? A I am claiming under my mother and she claims under her mother.

Q Was your mother's mother the Mississippi Choctaw who lived in Mississippi in 1830? A I think it was a welson.

Q What was the full name? A Taylor Nelson, I believe.

Q Now do you know as a fact that the name of Taylor welson appears upon the Mississippi Choctaw roll that was made up in pursuance with Article 14 of the treaty of 1830? A No sir, I don't know it.

Q Did you ever hear that his name was on that roll? A I don't know that I ever ~~heard~~ did.

Q Do you know, or did you ever hear, that he received land in Mississippi from the United States government as a beneficiary under Article 14 of the treaty of 1830? A I have been taught that he stayed there for the land and never got it.

Q Now who told you that he stayed there for the land and never received it? A That is what my mother always told me.

Q Did she tell you that he notified the Indian Agent who was then acting as Indian Agent in 1830 that he preferred to remain in Mississippi and take land rather than go to the Indian territory with the other Indians? A No sir, she never told me as to that.

Q Do you know whether he ever did notify the Indian Agent within six months after the ratification of that treaty? A No sir, I don't know that she did.

Q Now you say you have been told by your mother and other members of your family that you are descended from a Mississippi Choctaw whose name was Taylor Nelson- have you any other evidence to offer except what you have been told that you are lineally descended from Taylor Nelson? A No sir.

Q Have you any family records of any kind with his name in them? A No sir.

Q Any bible records? A No sir.

Q You have simply hearsay testimony to offer that you are descended from Taylor welson? A I have always been taught that.

Q Now do you wish to file at the present time any affidavits or other documentary proof in support of your claim? A Yes.

Applicant's counsel asks for 15 days. On motion of counsel for applicant 15 days is allowed the applicant from the date hereof in which to file affidavits or other documentary proof in support of this application which he makes in his own behalf.

Q Are you married? A Yes.

Q When were you married? A About '95.

Q What month and day? A 15th day of December.

Q To whom were you married? A Belle Vaughan.

Q Have you your marriage license and certificate? A I haven't them with me at present.

Q Would you like to file them with your other papers? A Yes. Permission is given applicant to file them within 15 days from the date hereof.

Q Have you any children? A One.

Q What is its name? A Maudie Lee.

Q Is Belle Crowley the mother of Maudie Lee? A Yes.

Q You are her father? A Yes.

Q The basis of this child's claim is the same as yours? A Yes.

Q Is there anything further you would like to state in regard to this application? A No sir.

The decision of the Commission in regard to the application which you now make in regard to yourself and this child, will be mailed to you at your present postoffice address.

#955-3.

Brown McDonald, having been first duly sworn, upon his oath states that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 30th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 30th day of October,
1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing papers as follows:

Marriage license and certificate between Mr. A. L. Fenley and Miss Mary Adams, to be filed with the application of Mary M. Fenley et al. for identification as Mississippi Choctaws.

Certificate of A. B. Bailey, Clerk of Circuit Court, Webster County, Mississippi, as to license of marriage issued to Mr. W. A. Crowley and Miss Belle Vaughn, for filing with the application for identification as Mississippi Choctaws of William A. Crowley, et al.

Certified copy of marriage license and certificate between Mr. William R. Crowley and Miss Nancy H. Schoolar, to be filed with the claim of Nancy H. Crowley et al. for identification as Mississippi Choctaws.

/ The papers have been duly filed with the several cases named above.

Yours truly,

Acting Chairman.

MC 939
MC 955
MC 989

Miss. Choc. 68,
377, 656, 2253.

Muskogee, Indian Territory, March 24, 1902.

J. W. Goforth,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty first instant, asking whether Joe Dalmen, John Hill, John Penney, I. C. Kelley, T. A. Crowley and A. J. Jackson are recognized citizens of the Choctaw Nation. You state that they are renting tribal lands but refuse to pay permits as required by law.

In reply to your letter you are advised that it appears from our records that John R. Penney, forty one years of age, of Ada, Indian Territory applied to this Commission, June 15, 1900, for the identification of himself and five minor children, Mattie, Walter, Claude, Aud and Guy Penny, as Mississippi Choctaws. William A. Crowley, twenty nine years of age, of Caddo, Indian Territory, appeared before the Commission at Muskogee, Indian Territory, October 26, 1900, and applied for identification as a Mississippi Choctaw for himself and one child, Maudie Lee Crowley.

On May 31, 1901, Andrew J. Jackson, of Hida, Indian Territory, applied to the Commission at Atoka, Indian Territory for the

J.H.G. 2

identification of himself and his minor child, Clara Jackson, as Mississippi Choctaws.

No decisions have yet been reached nor opinions rendered in any of the cases above named. It does not appear from our records that any person by the name of I. C. Kelley has applied for identification as a Mississippi Choctaw, but the records do show that James C. Kelley, forty two years old, of Ego, Indian Territory, on June 20, 1900, applied to the Commission at Colbert, Indian Territory, for the identification of himself and seven minor children as Mississippi Choctaws. No decision has been reached relative to his rights as a Mississippi Choctaw.

If these are not the persons to whom you refer in your letter, and you will give further information relative to the time and place when they appeared before the Commission and the names of other members of their family who appeared with them, the matter will receive further consideration.

It does not appear from our records that any persons by the name of Joe Dalaon or John Hill have applied to the Commission either for enrollment as Choctaws or for identification as Mississippi Choctaws.

Yours truly,

Commissioner in Charge.

M O R 955

Muskogee, Indian Territory, July 31, 1902.

William Alexander Crowley,

Osage, Indian Territory,

Dear Sir:

You are hereby advised that on the 31st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Mississippi Choctaws:

Nancy Hawkins Crowley, et al.,	M O R 939
Mary Olivia Ellis, et al.,	M O R 935
Virginia E. T. Brook, et al.,	M O R 938
William A. Crowley, et al.,	M O R 955
Martha Emeline Moody, et al.,	M O R 956
Mary Lucy Moody, et al.,	M O R 957
Thomas J. Brook,	M O R 958
Cornie Delula Martin,	M O R 975
Elizabeth J. Henly, et al.,	M O R 976
Messie Elvira Perry,	M O R 977
Cornelius Ellis,	M O R 979

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

W A C-----2

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Bewlah Crowley, Mary Olivia Ellis, William Wirt Ellis, Mary Eliza Ellis, Emma Gabriella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. T. Brook, Joseph Samuel Brook, Virginia Rosa Nelson Brook, Charles Robert E. Lee Brook, William A. Crowley, Maudie Lee Crowley, Martha Emeline Moody, Lelia May Moody, Albert Clinton Moody, Mary Lucy Moody, Ada Deesee Moody, Robert Edgar Moody, Thomas J. Brook, Cornie Delula Martin, Elizabeth J. Henly, Clifton A. Henly, Bethena Henly, Massie Elvira Perry and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

COPY.

M.C.R. 955

Muskogee, Indian Territory, October 11, 1902.

Wm. Alexander Crowley,
Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Crowley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

W. D. Woodcock

W. D. Woodcock.

Commissioner in Charge.

FOR IDENTIFICATION AS
A MISSISSIPPI SMOOT LAW.

955

Oct. 24, 1900 1/2
Wm A. Browley 29
Caddo. I. T.

Arthur
Wm R. Browley
Master
Lizzie H. Browley
Claus under master

Wm
Beel Vaughan
Chadren
Maudie Lee - 3

FILED
OCT 24 1900
COMMISSIONER TO THE LAND

Choc. MCR 956

Martha Emeline Moody

See MCR 939

MCR 956

APPLICATION AS R. 956
A MISSISSIPPI CHOCTAW.

Martha Emeline Moody et al

REFUSED

DECISION RENDERED: JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 939.

M. C. R-986.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 24, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Martha Emeline Moody and her two minor
children. Martha Emeline Moody being first duly sworn by the
Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Martha Emeline Moody.
Q What is your age? A 24.
Q What is your post-office address? A Caddo, Indian Terri-
tory.
Q How long have you resided in the Indian Territory? A A
little over a month.
Q Where did you live prior to that time? A Mississippi.
Q How long did you live in Mississippi? A All my life I was
born and raised there.
Q Lived there all your life until you removed to the Indian
Territory? A Yes sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A William Riley Crowley.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Nancy Hawkins Crowley.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name on any of the tribal rolls of the Choctaw
Nation? A No sir.
Q Has she ever been recognized by the tribal authorities of
the Choctaw Nation as a citizen thereof? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in
the possession of the Commission, examined and the
name of the applicant is not found thereon.

Q Have you ever ~~made~~ made application to the tribal authori-
ties of the Choctaw Nation for citizenship in the Choctaw Nation?
A No sir.

Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their National Council as a
citizen of that Nation? A No sir.

Q Did you or any one in your behalf in 1896 make application
to this Commission for citizenship in the Choctaw Nation under the
act of Congress of June 10th, 1896? A No sir.

Record of applications made to this Commission in
1896 for citizenship in the Choctaw Nation, examined
and the name of the applicant not found.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw tribal authori-
ties of the ~~authorities~~ decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of United States Court

Martha E. Moody.2

for the Indian Territory, examined and the name of the applicant not found thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description, A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw land under the provisions of the 14th article of the treaty of 1830? A I have always been taught that I was.

Q Was what? A That I was Indian and entitled to a claim here.

Q What is your claim? A Land.

Q Why do you think you are entitled to any land in the Choctaw Nation, A Well, that is what I have always been taught.

Q Why do you think it, because some one talked to you about it? A I heard other folks talk about it. My mother told me.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A I am making my claim under the 14th article of 1830.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A No sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A David Nelson.

Q What relation was David Nelson to you? A He was my great grand father.

Q Have you any evidence of the fact that he was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830?

A Not only what I have been taught by my mother.

Q Are you a direct lineal descendant of David Nelson? A Yes sir, I am a great grand daughter of his.

Q Have you any evidence showing the fact that you are a direct lineal descendant of David Nelson? A None only my mother what she told me.

Q Did David Nelson or any other of your ancestors through whom you might claim this right to identification, ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw tribe of Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Henry Moody.

Q Are you making any claim for him? A No sir.

Q Is he a white man? A Yes sir.

Q Have you any children? A Yes sir, I have two.

Q What are the names and ages of your children? A Lelia May Moody, three years old.

Q The next one? A Albert Clinton, two.

Q Are you the mother of these two children? A Yes sir.

Q Henry Moody is the father? A Yes sir.

Q These children both live with you at your home? A Yes sir.

Q Their claim is identical with yours? A Yes sir.

Q Is there any additional statement you desire to make in support of your application? A No sir.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of your application?

A Yes sir, but I don't want to file it today.

Here attorney for applicant asks leave to file written evidence in support of this claim within 15

Martha E. Moody. 2

from this date.

Permission is granted attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled case on the 24th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 27th day of October, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, November 12, 1900.

Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 9th
instant enclosing affidavits offered by you for filing in the
following cases:

Martha E. Moddy,
Massey E. Perry,
Virginia E. P. Brock,
Mary L. Moody,
Elizabeth J. Henley,
Conney D. Martin,
Nancy H. Crowley,
Cornelius Ellis,
Mary O. Ellis,
Thomas J. Brock, and
William A. Crowley.

In accordance with your request these affidavits have
been duly filed with the other papers in these respective cases.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing the following papers for filing:

Certificate of the Clerk of Circuit Court Webster County, Mississippi, as to the marriage license and certificate between Elijah Henly and Elizabeth Crowley, which you say you desire to have filed in support of the claim of Elizabeth Huley; but this is evidently a mistake as our records show that no Elizabeth Huley ever appeared before the Commission as an applicant for identification as a Mississippi Choctaw; moreover, the certificate itself gives the name as Elizabeth Henly, and Elizabeth Henly did appear before the Commission in October, 1900, as an applicant for the identification of herself and her minor children as Mississippi Choctaws.

Affidavits of John W. Cummings and D. R. Hull as to the marriage of Thomas J. Hull and Lucy Hull, to be filed in support of the application for identification as Mississippi Choctaws of Lucy Hull, et al.

Certificate of the Circuit Clerk of Webster County, Mississippi as to marriage license and certificate between H. A. Moody and Miss Mattie Crowley, to be filed in support of the application of Martha E. Moody et al. for identification as Mississippi Choctaws.

H A A 2

The papers have been submitted in the cases above mentioned, and will receive the consideration of the Commission in determining these applications.

Yours truly,

Acting Chairman.

MC 928
MY 956
ML 978

M O R 956

Muskogee, Indian Territory, July 31, 1902.

Martha Emeline Moody,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 21st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Growley, et al., embracing the following applications for identification as Mississippi Choctaws:

Nancy Hawkins Growley, et al.,	M O R 939
Mary Olivia Ellis, et al.,	M O R 938
Virginia E. T. Brook, et al.,	M O R 938
William A. Growley, et al.,	M O R 955
Martha Emeline Moody, et al.,	M O R 956
Mary Lucy Moody, et al.,	M O R 957
Thomas J. Brook,	M O R 958
Cornie Delula Martin,	M O R 975
Elizabeth J. Henly, et al.,	M O R 976
Masale Elvira Perry,	M O R 977
Cornelius Ellis,	M O R 979

These applications were made under the provision of the act of Congress of June 23, 1898, (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

N E H—3

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Beulah Crowley, Mary Olivia Ellis, William Wort Ellis, Mary Eliza Ellis, Erond Gabriella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. T. Brook, Joseph Samuel Brook, Virginia Rosa Nelson Brook, Charles Robert E. Lee Brook, William A. Crowley, Maudie Lee Crowley, Martha Emeline Moody, Lelia May Moody, Albert Clinton Moody, Mary Lucy Moody, Ada Desree Moody, Robert Edgar Moody, Thomas J. Brook, Cornie Delula Martin, Elizabeth J. Henly, Clifton A. Henly, Bethena Henly, Maudie Elvira Perry and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification should be refused and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered,

COPY.

M.C.R. 956.

Muskogee, Indian Territory, October 11, 1902.

Martha Emeline Moody,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Crowley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

T. I. [Signature]

Commissioner in Charge.

956

FOR DEPT
A MISSOURI PL

1/8

OCT 24 1900

Martha E. Moody 24
Caddo, Ind. Ter.

FATHER: William P. Crowley - ✓
MOTHER: Nancy N. Crowley - ✓
Claims through mother.

HUSBAND: Henry Moody - ✓
(No claim for husband).

CHILDREN:

Lela May Moody 3.
Albert C. " 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 24 1900

[Signature]
A. M. CHAMBERLAIN

Choc. MCR 957
Mary Lucy Moody

See MCR 939

MCR 957

APPLICATION AS
MISSISSIPPI CHOCTAW.

R. 95

Mary Lucy Moody et al

REFUSED

DECISION RENDERED. JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 939.

M. C. R-957

Department of the Interior,
Commission to the Five Civilized tribes,
Mus kogee, I. T. Oct. 24, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Mary Lucy Moody and her two minor children.
Mary Lucy Moody being duly sworn by the Commission testified as
follows:

Examination by the Commission.

Q What is your name? A Mary Lucy Moody.
Q What is your age? A I am 21.
Q What is your post-office address? A Caddo, Indian
Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A A
little over a month.
Q Where did you live before that? A Mississippi.
Q How long did you live in Mississippi? A I was born and
raised there.
Q Lived there all your life until the time you moved to the
Indian Territory? A Yes sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A William Riley Browley.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Nancy Hawkins Crowley.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw Nation? A No sir.
Q Was she ever recognized by the Choctaw tribal authorities
as a citizen of the Choctaw Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw nation in the
possession of the Commission examined and the name
of the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their national Council as a
citizen of the Choctaw Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make appli-
cation to this Commission for citizenship in the Choctaw Nation
under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to the Commission in
1896 for citizenship in the Choctaw nation, examined
and the name of the applicant not found thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw tribal
authorities or the decision of this Commission? A No sir.

Mary Lucy Moody 2

record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
for the Indian Territory, examined and the name of the
applicant not found thereon.

Q Have you ever prior to this time made any application to
either the tribal authorities of the Choctaw Nation or to the
authorities of the United States for either citizenship or enroll-
ment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes
sir.

Q You are now making application for identification as a
Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified
by this Commission as a Choctaw Indian entitled to rights in the
Choctaw lands under the provisions of the fourteenth article of
the treaty of 1830? A I have always been taught that I was.

Q Been taught what? A That I had a right.

Q Have you been taught that you are entitled to a right under
the provisions of the fourteenth article of the treaty of 1830?

A I have been taught that I was part Indian.

Q Are you making your claim under the provisions of the 14th
article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions
of that article of that treaty? A No sir.

Q What was the name of your ancestor who resided in Mississ-
ippi in 1830 at the time the treaty was entered into between the
United States and the Choctaw Indians and who was at that time a
recognized member of the Choctaw tribe of Indians? A Taylor
Nelson.

Q Was Taylor Nelson a recognized member of the Choctaw tribe
of Indians in 1830? A I have been taught that he was.

Q Have you any evidence of that fact? A No sir, only
what I have been taught.

Q What relation was Taylor Nelson to you? A My great
grand father.

Q Have you any evidence showing that you are a direct lineal
descendant of Taylor Nelson? A No sir, only what I have been
taught.

Q Did Taylor Nelson or any other of your ancestors through
whom you might claim this right to identification as a Mississippi
Choctaw ever receive or claim any land in Mississippi as beneficia-
ries under the provisions of the 14th article of the treaty of
1830? A No sir.

Q Do you make any claim by reason of any other treaty agree-
ment between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Martin Moody.

Q Is he a white man? A Yes sir.

Q Are you making any claim for him? A No sir.

Q How many children have you? A Two.

Q What are the names and ages of your children? A Ada
Deers Moody.

Q How old is she? A Two.

Q What is the name of the other one? A Robert Edgar, nine
months old.

Q You are the mother of these two children? A Yes sir.

Q Martin ~~Moody~~ Moody is the father? A Yes sir.

Q These two children live with you at your home? A Yes sir.

Q Their claim is the same as yours? A Yes sir.

Q Is there any additional statement you want to make in
support of your claim? A No sir.

Q Any written evidence you desire to file with the Commis-
sion in support of this application.

Here attorney for the applicant asks leave to file
written evidence in support of this claim in 15
days from this date.

Mary L Moody 3

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing with this Commission within fifteen days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Mura Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 24th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Mura Young.

Subscribed and sworn to before me this 27th day of October, 1900.

Guy L. Emerson
Notary public.

M C R 987

Muskogee, Indian Territory, July 31, 1902.

Mary Lucy Moody,

Osage, Indian Territory.

Dear Madam:

You are hereby advised that on the 31st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Mississippi Choctaws:

Nancy Hawkins Crowley, et al.,	M C R 939
Mary Olivia Ellis, et al.,	M C R 935
Virginia E. T. Brook, et al.,	M C R 938
William A. Crowley, et al.,	M C R 955
Martha Emeline Moody, et al.,	M C R 956
Mary Lucy Moody, et al.,	M C R 957
Thomas J. Brook,	M C R 958
Gornie Delula Martin,	M C R 978
Elizabeth J. Henly, et al.,	M C R 976
Messie Elvira Perry,	M C R 977
Gornelius Ellis,	M C R 979

These applications were made under the provision of the act of Congress of June 25, 1906, (34 Stat., 495) which is as follows:

*Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

M L M-----2

hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Beulah Crowley, Mary Olivia Ellis, William Wort Ellis, Mary Eliza Ellis, Brona Gabriella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. T. Brock, Joseph Samuel Brock, Virginia Rosa Nelson Brock, Charles Robert E. Lee Brock, William A. Crowley, Maude Lee Crowley, Martha Emeline Moody, Lelia May Moody, Albert Clinton Moody, Mary Lucy Moody, Ada Deares Moody, Robert Edgar Moody, Thomas J. Brock, Cornelia Delula Martin, Elizabeth J. Henly, Clifton A. Henly, Bethena Holly, Maude Elvira Perry, and Cornelius Ellis as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

M.C.R. 957

COPY.

Muskogee, Indian Territory, October 11, 1902.

Mary Lucy Moody,
Caddo, Indian Territory .

Dear Madam:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Crowley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

(Signature)

T. L. ...

Commissioner in Charge.

957

$\frac{1}{8}$ OCT 24 1900
Mary Lucy Moody. 21.
Cadde, Ind. Per.

FATHER: William R. Crowley - ✓
MOTHER: Nancy N. Crowley - ✓
Claims through mother.

HUSBAND: Martin Moody. ✓
(No claim for husband).

CHILDREN:
Adda M. Moody 2.
Robert E. Moody 9 mo.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 24 1900

[Signature]

Choc. MCR 958

Thomas Jefferson Brock

see MCR 939

MCR 958

IDENTIFICATION
A MISSISSIPPI CHOCTAW

Thomas Jefferson Brock
REFUSED

DECISION RENDERED. JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 939

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCTOBER 25, 1900.

In the matter of the application for identification as a Mississippi Choctaw of Thomas J. Brock, which he makes in his own behalf, said Thomas J. Brock being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

- Q What is your name? A Thomas J. Brock.
Q Your age? A 22.
Q Your postoffice address? A Caddo.
Q How long have you lived in Caddo? A About two months.
Q Where did you live before you went to Caddo? A Between Ardmore and Tishomingo.
Q In what Nation? A Chickasaw.
Q How long did you live there? A I cannot tell you for certain. Somewhere's about 1 1/2 an 2 months.
Q Where did you live before you went there? A Texas.
Q How long did you live in Texas? A About two and a half years.
Q Where did you live before that? A Mississippi.
Q Always lived in Mississippi? A Yes.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your father's name? A Joseph F. Brock.
Q What is your mother's name? A Virginia E. P. Brock.
Q Under which of your parents do you claim Choctaw blood? A Mother.
Q How much do you claim? A 1/8.
Q Is your father a white man? A Yes.
Q Did your mother ever live in the Indian Territory? A No sir.
Q Is her name on the tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q Is her name on any Indian rolls that you know of? A No sir.
Q Did she ever make application for enrollment in the Choctaw Nation? A No sir.
Q Is her name on the Choctaw rolls of the Choctaw Nation in the Indian Territory? A No sir.
Q You never made application for enrollment before, did you? A No sir.
Q You never made application to the Dawes Commission for enrollment? A No sir.
Q Never admitted into citizenship in the Choctaw nation by judgment of the United States Court? A No sir.
Q On appeal from the decision of the Dawes Commission or on appeal from the decision of the Choctaw tribal authorities? A No sir.
Q You now make application for enrollment identification as a Mississippi Choctaw? A Yes.
Q What proof have you that you are descended from a Mississippi Choctaw having the blood of a Choctaw in your veins? A My mother and all my mother's folks that I know anything about.
Q It has always been talked in your family that you had Choctaw blood? A Yes.
Q And your ancestor had Choctaw blood? A Yes.
Q Did she ever tell you the name of that ancestor? A No sir.
Q Did she ever tell you the name of the Indian who lived in Mississippi and who took advantage of that treaty that was made in 1830 between the U.S. Government and the Mississippi Choctaws? A No sir.
Q In talking with your mother about your Indian blood and Indian descent did she ever talk to you about the time when the Choctaws that lived in Mississippi moved to the Indian Territory? A I have heard that they moved, that is all.
Q Did you hear that your ancestors stayed there or came away?
A I heard that they stayed.

5956-2.

Q Do you know whether your ancestor who resided there received any land in Mississippi because he did stay? A No sir, I didn't hear.

Q What was his name? A I cannot tell you.

Q Can't you tell his name? A Her father's name was Schooler.

Q Was he the Choctaw Indian who lived in Mississippi in 1830? A I cannot tell you.

Q You can't tell his full name? A No sir.

Q This ancestor under whom you claim lived in Mississippi you are sure about that? A Yes.

Q Do you know whether his name was on the tribal rolls of the Choctaw Nation in Mississippi? A I don't know.

Q Under what treaty do you claim your right to be identified now?

A Under the treaty of 1830?

Q Do you know anything about that treaty? A No sir.

Q Know anything about Article 14? A No sir.

Q Did you ever have it explained to you? A No sir.

Q Do you know whether your ancestor complied with the provisions of that article? A No sir, don't know anything about that.

Q Well you state now from what your mother told you that you have Indian blood in our veins, you don't know much about your ancestor, or whether he took advantage of the Treaty of 1830, and you don't know much about the laws under which you assert this right, do you?

A No sir, I don't know anything about it.

Q Are you married? A No sir.

Q You make this application for yourself? A Yes.

Q Have you any documents which you wish to file with this Commission? A Yes.

Applicant's counsel asks permission to have 15 days in which to file documentary evidence in this case and it is granted.

The decision of this Commission in this application which you have just made for identification as a Mississippi Choctaw, will be mailed to you at your present postoffice address in the near future.

Brown McDonald, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. Emerson
Notary Public.

N C R 950

Muskogee, Indian Territory, July 31, 1903.

Thomas Jefferson Brock,

Cadiso, Indian Territory,

Dear Sir:

You are hereby advised that on the 31st day of July, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Mississippi Choctaws:

Nancy Hawkins Crowley, et al.,	N C R 939
Mary Olivia Ellis, et al.,	N C R 935
Virginia E. T. Brock, et al.,	N C R 938
William A. Crowley, et al.,	N C R 955
Martha Emeline Moody, et al.,	N C R 956
Mary Lucy Moody, et al.,	N C R 957
Thomas J. Brock,	N C R 958
Cornie Delula Martin,	N C R 975
Elizabeth J. Healy, et al.,	N C R 976
Massie Elvira Perry,	N C R 977
Cornelius Ellis,	N C R 979

These applications were made under the provision of the act of Congress of June 26, 1898, (30 Stat., 495) which is as follows:

*Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen

T J B—3

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Growley, Nancy Boulah Growley, Mary Olivia Ellis, William West Ellis, Mary Eliza Ellis, Arona Gabriella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. T. Brock, Joseph Samuel Brock, Virginia Rosa Nelson Brock, Charles Robert E. Lee Brock, William A. Growley, Haudie Lee Growley, Martha Reeline Moody, Lelia May Moody, Albert Clinton Moody, Mary Lucy Moody, Ada Dearee Moody, Robert Edgar Moody, Thomas J. Brock, Cornie Delula Martin, Elizabeth J. Henly, Clifton A. Henly, Bethena Henly, Massie Elvira Perry and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in the time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

COPY.

M.C.R. 958

Muskogee, Indian Territory, October 11, 1902.

Thomas Jefferson Brock,

Cato, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Growley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

(SIGNED)

J. D. Woodlee.

Commissioner in Charge.

958

Oct 24-1900
Thomas J. Brock - 22
Caddo I.T.

FATHER.

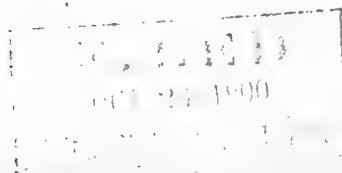
Joseph F. Brock. I

MOTHER.

Virginia E. P. Brock, I

Clavis under mother.

Clavis for sep.



Choc. MCR 959

Robert Lee Self

See MCR 226

MCR 959

Robert Lee Self et al.

REFUSED.

DECISION RENDERED APR 15 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 15 1902

RECORD FORWARDED DEPARTMENT.

APR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAY 15 1902

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

MAY 15 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAY 15 1902

REFER TO M. C. R. 226

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 959.

In the matter of the application for identification as Mississippi Choctaws of Robert Lee Self which he makes in his own behalf and on behalf of you three minor children. Robert Lee Self, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Robert Lee Self.
Q What is your age? A 37.
Q What is your post office address? A Dixie, I. T.
Q How long have you lived in Dixie? A About 4 months.
Q Where did you live before you lived in Dixie? A In Graham, Indian Territory.
Q How long did you live there? A About 5 months I guess.
Q How long have you lived in the Indian Territory?
A About three years.
Q Where did you come from when you came to The Territory.
A Texas.
Q How long in Texas? A Born and raised there.
Q Never lived in Mississippi? A No sir.
Q What is your father's name? A Sam Self.
Q Is he living or dead? A Living.
Q What is your mother's name? A Sarah.
Q Living or dead? A Living.
Q Under whom do you claim? A Father.
Q Is the name of your father on any of the Choctaw rolls of the Choctaw Nation? A No sir.
Q Did he ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A Yes, but not before this.
Q Is your father here making application? A He appeared before the Dawes Commission a month ago.
Q Has he been recognized by this Commission? A Not that I know of.
Q Is your name on any of the tribal rolls? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Did you ever apply to the Dawes Commission for citizenship.
A No sir.
Q This is the first application you have ever made to the Dawes Commission? A Yes sir.
Q You are applying for whom besides your children? A Just myself and children.
Q Under what treaty do you claim the right now to be identified as a Mississippi Choctaw? A All of them.
Q Do not claim under any particular treaty then? A No sir.
Q Did you ever read article 14 of the treaty of 1830?
A No sir.
Q Do you know anything about its provisions. A No sir.
Q Do you know whether you can comply with its provisions?
A No sir.

Q Do you know whether the ancestor under whom you claim ever did? A No sir.

Q What is the name of this ancestor under whom you now claim the right to identification as a Choctaw Indian?

A Joe Self.

W Was he a Choctaw Indian? A Supposed to be, yes.

Q How much Choctaw blood do you claim? A 1/16.

Q Was he a full blood? A I don't know.

Q Did he live in Mississippi in 1830? A I don't know.

Q Did he ever take advantage of article 14 of that treaty?

A Not that I know of.

Q Did he ever hold land in Mississippi under article 14?

A Not that I know of.

Q Did he ever claim any land there? A Not that I know of.

Q Do you know whether he declared his intention to remain in Mississippi and that he took land there and remained?

A Not that I know of.

Q Are you married? A Yes sir.

Q What is your wife's name? A Charity Self.

Q When and where were you married? A Wise County, Texas, November 4, 1892.

Q Under the laws of the state of Texas? A Yes sir.

Q Have you your marriage license and certificate? A Not with me, no sir.

Q Do you wish to file them? A Not at present.

Q At any time? A Yes sir.

Q Have you any documentary proof or affidavits that you wish to file? A No sir.

Q Do you wish to file them within a reasonable time? A Yes.

Attorney:
We ask 15 days from this date.

Commission:
Motion of attorney is granted.

Q You wish to apply for your children? A Yes sir.

Q Minors and unmarried? A Yes sir.

Q What is the name of the eldest? A Robert Leroy Self.

Q How old is Robert Leroy? A 5 years old.

Q The name of the next? A Nettie Aurora, 3 years old.

Q What is the name of the next? A Cam Self.

Q How old is Cam? A He is a year old.

Q Charity Self is the mother of these three children? A Yes.

Q You the father? A Yes sir.

Q The basis of their claim is identical with yours? Q Yes sir.

Q Anything further that you want to say in support of your application? A No sir.

The decision of the Commission in reference to this application for identification as Mississippi Choctaws of yourself and your three minor children which you make in your own behalf and theirs, will be mailed to you in writing at your present post office address in the near future.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled

cause on the 25th day of October, 1900, and that the above
and foregoing is a full, true and correct transcript of her
stenographic notes of said proceedings on said date.

Rated & Bond

Subscribed and affirmed to before me
this 14 day of November 1900.

Guy L. Emerson
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Robert Lee Self for the identification of himself and his minor children, Robert Leroy , Nettie Aurora and Cam Self, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that Robert Lee Self appeared before the Commission at Muskogee, Indian Territory, October 25th, 1900, and there made application for the identification of himself and his minor children, Robert Leroy Self, Nettie Aurora Self and Cam Self, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the act of Congress approved June 28th, 1898, (public No.162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Robert Lee Self and his minor children, Robert Leroy Self, Nettie Aurora Self and Cam Self, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory
this ____ day of _____ 1901.

ACTING CHAIRMAN.

COPY.

Muskogee, Indian Territory, April 15, 1902.

Robert Lee Self,

Dixie, Indian Territory.

Dear Sir-

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tilford H. Self, et al., embracing the following applications for identification as Mississippi Choctaws:

Tilford H. Self, et al.,	M C R 226
Robert Lee Self, et al.,	M C R 959
Hardy Self,	M C R 961
James K. Self,	M C R 476
William A. Self,	M C R 477
Joseph T. Self, et al.,	M C R 2542
Ora Hopkins,	M C R 962
Winnie Lockwood, et al.,	M C R 478

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats. 495), is as follows:

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

R L S 2

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Tilford H. Self, Ida Lee Self, Porter Green Self, Terry Campbell Self, Bertha Isora Self, Edna Alice Self, Clyde Hubbard Self, Jodie Tilford Self, Raymond Neal Self, Robert Lee Self, Robert Leroy Self, Nettie Aurora Self, Cam Self, Hardy Self, James K. Self, William A. Self, Joseph P. Self, Isaac Jefferson Self, Ora Hopkins, Elmer A. Hopkins, Winnie Lockwood and Walter Lockwood, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such, should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Tilford H. Self, for the identification of his wife, Emma Self, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED

James H. Kirby

Acting Chairman.

Registered.

5

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.
ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

40-100-013

REFER IN REPLY TO THE FOLLOWING

M.C.R. 959

Muskogee, Indian Territory, May 13, 1902.

Robert Lee Self,
Dixie, Indian Territory.

Dear Sir:-

You are hereby advised that on the 3rd day of May, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tilford H. Self, et al., of which decision you were advised by registered mail on the 15th day of April, 1902.

Yours truly,


Acting Chairman.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

416 OCT 25 1900

Robert Lee Self - 27
Wife, J. T.

FATHER

Sam Self - 1

MOTHER

Sarah " 1

Clara, under father.

Wife, Chanty Self -

Chesim,

Robert Leroy Self - 5

Hettie Aurora - 3

Sam 1

FILED
OCT 25 1900
COMMISSION TO FIVE TRIBES.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW. *P 959*

REFUSED.

*Robert Lee Self,
et al.*

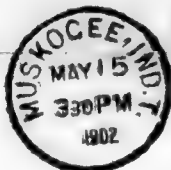
JUDGMENT WRITTEN MARCH 20TH, 1901, H.H.

*Reference to
R35 William C Self Et al.*

Mr. Carson

here

Return to



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

Robert Lee Selby

Dixie

Ind. Ter.

959

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.



ACTING CHAIRMAN





Department of the Interior.

Commission to the Five Civilised Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.


Robert Lee Self
Lixie
J. S.

6364

9968

959

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 31 1902


ACTING CHAIRMAN

Choc. MCR 960

Emiline Coffey

MCR 960

M. C. R-960

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as
a Mississippi Choctaw of Emiline Pertate. Emiline Pertate being
duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Emiline Pertate.
Q What is your age? A I don't know my age exactly. I was
counting myself as 79. I may be 90 for all I know. I don't know
how old I am. I was growed, good growed when Polk and Clay run,
was President the last time.
Q What is your post-office address? A Ardmore, Indian
Territory.
Q How long have you resided in the Indian Territory? A Two
years.
Q Where did you come from to the Indian Territory? A From
Texas.
Q How long did you live in Texas? A Lived there quite a
while.
Q How many years? A I don't know, sir; about forty I reckon.
Q Where did you come from to Texas? A From Tennessee.
Q How long did you live in Tennessee? A A good while. I
don't know. I never kept count.
Q About how many years? A I lived in Tennessee about 40
years. I don't know, I lived in Tennessee, Virginia and North
Carolina. I can't tell you where I spent my time. I never kept no
record. I might have kept a record if I could have read and wrote.
Q Did you ever live in Mississippi? A Yes sir, I was bred
and born in Mississippi.
Q When were you born? A I don't know sir. I don't know
what year it was.
Q How old were you when you left Mississippi? A A good big
girl, 13 or 14.
Q Where did you live in Mississippi? A Hagars Creek.
Q What county? A I don't know.
Q How much Choctaw blood do you claim? A All.
Q Full blood? A Full blood.
Q What is your father's name? A Henry Pertate.
Q Your father is dead? A Yes sir. I don't know. Mother is
dead but I don't know whether my father is dead or not.
Q What is your mother's name? A Caroline Pertate.
Q Your mother and father both full blood Choctaw Indians?
A Yes sir.
Q The names of your mother and father ever on any of the
tribal rolls of the Choctaw Nation in Mississippi? A I don't know
sir. I guess they were.
Q Were they recognized members of the Choctaw tribe of Indians
in Mississippi? A Well, when they were all there together.
Q Have you any evidence of that fact? A Not particular, not
only just what I know about it. Doctor Bittick's mother and myself
lived as close together as across these streets but she is dead now.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A I don't know sir, whether it is or not.

Billine Portate 2

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission, is examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been recognized by the Choctaw tribal authorities by an official act of their National Council as a citizen of the Choctaw Nation? A No sir, only they all claim me to be their kin. That is as far as I know.

Q Who? A The Choctaws always did claim me for kin even when we was in Texas. I have been an Indian all my life. Born and raised an Indian? Was raised by an Indian too.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A I think not. No sir.

Record of application for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of this Commission? A No sir, not that I know of.

Q You made application to this Commission for identification as a Mississippi Choctaw at Ardmore two years ago last December? A No sir, at Colbert.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q You are making application for identification as a Mississippi Choctaw? A Yes sir.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A I don't know, nothing at all about the articles. I claim just because I know I was bred and born in Mississippi and remained there until I was old enough to remember all about leaving home.

Q The only authority vested in this Commission to hear and determine the rights of parties making application for identification as Mississippi Choctaws is contained in the twenty first section of the act of Congress of June 28th, 1898, which provides: "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." Do you make your claim under the provisions of that article of that treaty? A I guess I do. I don't know nothing about these treaties.

Q Did any of your ancestors or did you comply with the provisions of the 14th article of the treaty of 1830? A I don't know. I might have but I don't know.

Q This Commission will require of applicants for identification as Mississippi Choctaws proof showing compliance either by themselves or by their ancestors with the provisions of the 14th article of the treaty of 1830. You state that you are about eighty years of age? A I am close to it.

Q Were you living in Mississippi when the Choctaw tribe of Indians moved from there to the present Indian Territory? A I was there when the Indians left. I didn't know where they were going or anything about it but knowed when the Indians drove out of Mississippi.

Exhibit Pertate 3

Q Were your father and mother recognized members of the Choctaw tribe of Indians in Mississippi at that time? A I guess they were.

Q Why didn't they ~~move~~ move to the Indian Territory with the rest of the Indians? A They might have done it for all I know.

Q If your father and mother moved to the Indian Territory with the Choctaw Indians? A All of them didn't move to the Indian Territory for I have seen some of them since then. I didn't know where they moved to. If they did I don't know anything about it. I didn't know where they went and don't know to day where my father and mother is.

Q My question is this: Were your father and mother living in Mississippi in 1830 when the Choctaws moved from there to the Indian Territory? A I don't know nothing about the number of the years.

Q Do you know when the Choctaw Indians left Mississippi? A Yes sir.

Q Why didn't your father and mother come with them? A I don't know. That's the way I come to be up in Tennessee.

Q How did you come to be in Tennessee? A There was a man carried me there, said he was going to carry me to my father and mother.

Q Where were they? A They weren't there. I don't know. I never seen them no more after that.

Q How old were you when you left Mississippi? A A girl.

Q How old were you? A I don't know sir. George McQuirdie carried me to Tennessee because he thought when he carried me there that he would sell me. He stole me and my little sister and he brought her back out west and I knowed too much for him. He taken her back out west and left me in Tennessee and I haven't seen him since. He tried to sell me and couldn't and he bound me out to old man Sharon until I was grown and then I staid. McQuirdie came back for me and I would not go with him.

Q In order for this Commission to identify you as a Mississippi Choctaw, it will be necessary for you to show that your parents or you were a recognized member of the Choctaw tribe of Indians in Mississippi in 1830. If your parents or you did not elect to come to the Choctaw Nation at the time the other members of the tribe were moved here by the United States government in 1834, 1835 and 1836, that you and your parents remained in Mississippi, and signified their intention to the United States Indian Agent of the Choctaw Indians in Mississippi to stay and become citizens of the state of Mississippi, and in consideration of becoming citizens of that state, the United States government agreed that upon their continued residence upon reservations set aside for them, a continual residence thereon for five years that they should be given a fee simple patent to that land and that if any time in the future they desired to remove to the Indian Territory or their descendants born to them after the issuance of that patent, they should not lose the right to Choctaw citizenship in the Choctaw Nation in the Indian Territory but were not to share in the annuities of the Nation. Now, did your father or mother after the completion of the treaty of 1830 come with the Choctaw Indians to the country west of the Mississippi which is now the Indian Territory or did they signify to the Indian Agent at the Choctaw Agency in Mississippi, their intention to become and remain citizens of the state of Mississippi? A I told you I don't know anything about that.

Q This Commission must require of applicants claiming the right to identification as Mississippi Choctaws, proof showing the compliance by their ancestors with the provisions of the 14th article of that treaty. A There aint but I think I am positive about that. I know I was born and raised up there in Mississippi until I was old enough to know how I left and all about it but what my father and mother done I am not able to tell you.

Q That is a very material fact. A What my father and mother done? But I know for myself that my father and mother were full

Emiline Pertate 4

bloods Indians and I know they was in Mississippi too. I believe I could go right to the place now and believe I would know my old home in Mississippi.

Q Were you carried away from Mississippi after the Choctaw Indians moved from there? A It was in the time that they was moving.

Q Where were your father and mother then? A They were in Mississippi when I knew them.

Q Were you taken away while they were there? A Yes sir but where they were at the time I was taken away I am not able to tell you.

Q Do you remember your mother and father? A Yes sir.

Q Do you remember any time before you were taken away whether they ever said they were going away from Mississippi or going to stay there? A No sir.

Q You knew then that all the Choctaw tribe were talking about being moved west didn't you? A I thought they was just a driving them.

Q Did you ever hear your father and mother say anything about it? A No way shape or manner about it.

Q If they were Choctaw Indians didn't they realize that they had to go with the rest of the Indians? A They might have realized it but I was too young to pay any attention to what they were saying about it or doing about it and I don't suppose I cared anything about it.

Q Have you any evidence that your father or mother ever received any land in Mississippi under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Is there any additional statement that you desire to make in support of your application? A No sir, I didn't come here to make application for myself no way. I come to make application for my two daughters that couldn't get here under the present circumstances. That is what I come for.

Q You have no other blood in your veins except Choctaw? A No sir, no other blood in me.

Q Your parents were both full blood Choctaws? A Yes sir.

Q Is there any written evidence you desire to offer the Commission for consideration in support of your application? A Not that I know of.

Attorney for applicant asks leave to file written evidence in support of this application in 15 days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future to your present post-office address.

Emiline Pertate being recalled, testified as follows:

Examination by the Commission.

Q In your examination this morning when asked what your name was, you stated that your name was Emiline Pertate. Is that correct? A Yes sir, that is the name I gave in to you.

Q Well what is your name? A My name now is Emiline Coffee.

Q How long have you been named Emiline Coffee? A Thirty years I reckon.

Q What was your name before that? A Emiline Denton.

Emiline Pertate 5

Q What was your maiden name? A Emiline Pertate.

Q You are now known by the name of Emiline Coffee? A Yes sir, Emiline Coffee, Emiline Pertate and Emiline Denton. The Commission said they wanted my Indian name and I gave it to them.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of September, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 30th day of October, 1900.

Guy L. Emerson
Notary Public

Department of the Interior
Commission to the Five Civilized Tribes.
Muskegee, I.T. February 14, 1902.

In the matter of the application for identification as Mississippi Choctaws of Emeline Coffey, et al., M.C.R. 960.

J. E. Arnold, attorney appearing for applicants.

Emeline Coffey being first duly sworn testified as follows:

Examination by the Commission.

- Q What is your name? A Emeline Coffey.
Q What is your post office address? A Ardmore, Indian Territory.
Q You live at Ardmore, Indian Territory? A Yes, sir.
Q What is your age? A I don't know sir; I am eighty; somewhere in eighty.
Q Are you the same Emeline Coffey who made application to be identified as a Mississippi Choctaw before the Commission at Muskegee, Indian Territory, October 28, 1900? A Yes, sir.
Q Where were you born? A In Mississippi.
Q In what place in Mississippi? A I don't know exactly what place. I don't know if Mississippi was named in Counties when I lived there. I was born somewhere near Hager's Creek.
Q How long did you live in Mississippi? A Until I was about ten or eleven years old.
Q From Mississippi you went where? A Tennessee.
Q To what place in Tennessee? A Wilson County.
Q How long did you live there? A I can't tell you. I lived there until I was grown, married and had five children.
Q Can you give me any idea how old you were when you removed from that state? A No sir.
Q From Tennessee you went where? A Texas.
Q What place in Texas? A Paris.
Q How long did you live in Texas? A I lived there about forty years.
Q In what County is Paris? A Lemar County.
Q Did you live in Lemar County all the time that you were in Texas? A No, sir; I was absent a month or two but that was my home.
Q From Paris Texas you went where? A Indian Territory.
Q What place in Indian Territory? A Ardmore.
Q Have you lived there since you arrived there from Texas? A Yes, sir.
Q How long have you lived at Ardmore, Indian Territory? A About four years.
Q How much Choctaw blood do you claim? A All.
Q Full blood Choctaw? A Full blood Choctaw; if I got any other blood I don't know it.
Q Was your father a full blood Choctaw? A Yes, sir.
Q What was his name? A Henry Partate.
Q Your mother a full blood Choctaw? A Yes sir.
Q What was her name? A Caroline.

To Attorney:

Mr. Arnold what do you expect to prove by this witness in this case?

#2

By Mr. Arnold:

I expect to prove by this witness that she is the mother of five or six of the Dentons,-- John Denton, Mariah Hughes, Billy Denton, Claiborn Denton, Griff Denton and Jane Crisp and to let the record show her physical appearance, that is all, so as to consolidate all of her childrens cases with hers.

To Applicant:

- Q Are you married? A No, sir; me and my husband is separated.
Q What was your husband's name? A Oscar Coffey.
Q Have you been married more than once? A Twice.
Q Was Oscar Coffey your first or second husband? A Second.
Q What was the name of your first husband? A Joe Denton.
Q Did he possess any Choctaw blood? A No, sir; he was half Creek.
Q What was the other half? A Negro.
Q Did you ever make any application to the Creek tribal authorities claiming intermarried rights as the wife of Joe Denton? A No sir.
Q Was any application ever made for any of your children? A No sir.
Q Give the name of your oldest child? A John Denton.
Q How old is John? A He says according to the book that he has, his age on that is fifty-seven.
Q Is he married? A Yes, sir.
Q What is the name of his wife? A Ann Denton.
Q She got any Choctaw blood? A Well I don't know whether she has got any Choctaw blood or not; she is not a negro.
Q What race is she? A She has Choctaw blood and white blood too.
Q Has she ever made any application to this Commission? A No, sir.
Q Have they any children? A Yes, sir.
Q How many? A Four or five; all their children are grown.
Q Give the names of his children? A Bettie Watkins is the oldest; Claiborn Denton is the next oldest,--Stella.
Q Stella what? A She is married now,--Stella Shambre.
Q Go on with the next one? A Texanna I don't know what her husband's name is, they are all married. His name is Willie something ----they call him Bose.
Q Is that all of his children? A Yes sir.
Q Now John Denton applied for identification as a Mississippi Choctaw and also applied for his daughter Texanna? A Yes, sir.
Q Have any of his other children made application for identification as Mississippi Choctaws? A I don't know; they all have been before the Commission. I forgot to give the name of Walter, John's oldest child who has never been before the Commission.
Q Has Bettie Watkins got any children? A Yes, sir.
Q You know the names of them? A Yes sir.
Q Give the names please? A One is Richard the oldest one, the next Willie, the next one Seymour.
Q How old is Seymour? A I don't know.
Q Has she any more children? A Yes she had another girl; she brought it with her when she came before the Commission, it is a baby.
Q Bettie Watkins gave the names of her children when she made application as Richard, Willie and a little boy name not given. How many children has she now? A Four.
Q Richard, Willie, Seymour and that baby? A Yes sir.
Q You know the name of that baby? A No sir.
Q Is it a boy or girl? A Girl.
Q Has Claiborn Denton any children? A Yes sir.
Q How many? A Three.

#3

- Q Do you know their names? A Yes sir.
Q Go ahead? A Ethel, Eugenia and Roy.
Q How many children has Stella Shambro? A None.
Q How many has Mariah Hughes? A One.
Q What is the name of that child? A Joe.
Q Has Joe been before the Commission? A Yes sir.
Q How many Children has Claiborn Denton? A He has---Lula Robert-
son.
Q That is Claiborn Denton your son? A Yes sir.
Q Has Lula got any children? A Yes sir.
Q You know their names? A Yes sir.
Q Give their names? A Georgie May, Queen Esther, Fay.
Q That is all of the children of your son Claiborn? A No, I
just gave one of the children.
Q Give the next child of Claiborn's? A Mary Ann Graves.
Q How many children has she? A One.
Q What is the name of that child? A I don't know whether it has
a name or not.
Q Boy or girl? A Boy.
Q Next child of Claiborn? A Bonnie Sutton.
Q She got any children? A Yes sir.
Q Give their names? A She has three children but I don't know
their names.
Q Give the name of the next child of Claiborn? A Hubbard.
Q Is he married? A No sir.
Q Go on with the next one? A Bert, she is a girl, Beatrice,
Margie.
Q Did he have a son named Doc? A Yes, sir.
Q Give the names of the children of Griff Denton? A Maude Reed,
Eva Kinzie, she is married, since she made application.
Q What is the name of the next child? A William.
Q Is that all of his children? A Yes, only two. Eva has one child.
Q What is the name of that child? A Phillis.
Q Has she filed any proof of that child's birth with the Commis-
sion? A I don't know that she has.
Q Has she ever filed any proof of her marriage? A I don't know.
Q Is that all of his family? A Yes sir.
Q Now give me the names of the Children of William Denton's family;
was he some times called Billy? A Yes, most people call him
Billy.
Q Give me the names of his family? A Enola, the other one I have
to think about,----Hosie.
Q Is that all of Billies family? A Yes sir.
Q Give me the name of Jane Crisp's family? A John Henry, Robert,
Carry, Sallie May, Jenetta, and Sampson.
Q In his application the name is given as Jimmie Etta; Is Jenetta
the proper name? A Yes, sir; it is Jenetta.
Q Is John Henry Crisp married? A Yes sir.
Q Has he any children? A No, sir.
Q Now you have two daughters who are dead; Amy Hickman and Jennie
Coffey? A Yes sir.
Q Has Amy Hickman been before this Commission? A Yes, sir.
Q When did she die? A A week ago last Wednesday.
Q Did she leave any children? A Two.
Q What are their names? A Bessie and William.
Q When did Jennie Coffey die? A She was dead two years and ten
months on the date that her sister died.
Q One died in 1901, and one in 1902? A Jennie Coffey died the 6th
of November.
Q And Amy Hickman died the first part of February this year? A Yes,
sir.
Q Did Jennie Coffey leave any children? A No sir.
Q Had Jennie Coffey been before the Commission? A Yes, sir.

#4

- Q Now have you given the names of all of your children, grand children and great grandchildren, all of your descendants? A Yes, sir.
- Q Have you any other descendants whom you have not named? A I have some greatgrandchildren.
- Q What children were they? A John's son's children; Walter's children.
- Q Well he will have to make application for them himself; what are the names of Walter's children? A One is named Lela Denton, William Denton, Lolla Denton and Johnnie.
- Q Walter has never been before the Commission for himself or his children? A No, sir.
- Q Now all these people you have testified about are descendants of yours and get their Choctaw blood from you? A Yes sir.
- Q What is the name of your father? A Henry Pertate.
- Q Did he live in Mississippi? A Yes sir.
- Q Where did he die? A I don't know sir where he died. Mother died in Mississippi, I don't know where father died.
- Q Did he ever receive any land from the United States government as a Choctaw Indian? A Not that I know of.
- Q Did you ever receive any land from the United States government as a Choctaw Indian? A No, sir.
- Q How old were you when you married the first time? A Seventeen or 18 years old.
- Q What year were you married in do you recollect? A No, sir.
- Q Do you know whether you were married in the year 1830 or not, that is seventy years ago, seventy-one years ago? A No, sir I don't remember, the nearest I can go to it is the second year after Polk and Clay ran for President.
- Q Were your father and mother recognized members of the Choctaw tribe of Indians and did they live in the old Choctaw Nation in Mississippi and Alabama in 1830? A I don't know whether it was anywhere near Alabama, I know they was in Mississippi. That is all I know about it. The places I knew in Mississippi I do not know now by name.
- Q Were either one of your husband's slaves? A Yes sir.
- Q Which one? A Both of them.
- Q Were you ever a slave? A No sir; the last one was free when I married him but he had been a slave.
- Q Have you any evidence that you can bring before this Commission, that you can produce, that would show that either your mother or father ever received any benefits from the United States government as Choctaw Indians? A No, sir.
- Q Did either your mother or father remove from the old Choctaw Nation in Mississippi or Alabama at the time of the Choctaw Indian's removal over here to this Country? A I don't know sir.
- Q Do you know anything about the death of your father where he died? A No sir.
- Q How old were you when you saw your father last? A Ten or Eleven years old.
- Q Where was that? A In Mississippi.
- Q You say your mother died in Mississippi? A Yes sir.
- Q You don't know what became of your father? A No sir.
- Q Do you know anything about the treaty made between the United States government and the Choctaw tribe of Indians in Mississippi? I knowed when the Indians went out of Mississippi.
- Q What year was that? A I don't know sir.
- Q Did you know at that time why the Indians went out of Mississippi? A No sir; I don't know why they went out. I heard that they drove them out.
- Q Where were your father and mother living at that time? A In Mississippi.
- Q Did your father go with the Indians at that time? A Yes, sir.

#5

- Q And your mother stayed there? A My mother and father both went.
Q Where did they go? A I don't know.
Q Then your mother must have gone back to Mississippi? A Yes, she came back after that.
Q But your father did not come back? A I don't know whether he went back with her. I reckon he came back.
Q You were about sixteen or seventeen years old in 1830; do you know anything about the government giving the Indians land in Mississippi and Alabama at that time? A No, sir; I don't know anything about that, nobody didn't tell me nothing about it.

On the 27th of September 1830 the government made a treaty with the Choctaw Indians, who then lived in Mississippi and Alabama. The object of the treaty was for the purpose of securing the removal of all the Choctaws from the country then occupied by them to a new country West of the Mississippi River, this Choctaw Nation that you are now living in. At the time the treaty was made some of the Choctaws did not want to come to this new country but preferred to remain in the old Choctaw Nation in Mississippi and Alabama and for the benefit of this class of Indians, who wanted to remain, article fourteen was made a part of the treaty. That article goes on to say that each Choctaw head of a family being desirous to remain and become a citizen of the States shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this treaty, the treaty was ratified on the 24th day of February 1831. Now these Choctaws who wanted to remain in the old Choctaw Nation should go to the government agent within six months from the time the treaty was ratified and tell him that they wanted to stay there and take land under article fourteen. If they did this they would be entitled, each head of a family, to one section of six hundred and forty acres of land, to be bounded by sectional lines of survey, and one half that quantity for each unmarried child which is living with him over ten years of age he was entitled to one half that quantity and for each child under ten years of age he was entitled to one-quarter section. These reservations of the children were to adjoin the reservations of the parents and were also to include any improvements owned by the head of the family at the time the treaty was made, September twenty-seventh, eighteen hundred and thirty. This article also required that a Choctaw should reside upon this land for five years after the treaty was ratified and then the government would give him a title in fee simple.

- Q Now did either your father or mother in the year eighteen hundred and thirty claim any lands from the United States government? A I don't know.
Q Did they in the year 1831 claim any lands from the United States government? A I don't know.
Q That article also required that a Choctaw who notified or told the government agent that he wanted to remain in the old Choctaw Nation and take land there, it was required that he should do this within six months from the time Congress ratified this treaty; February 24, 1831. Now did they go within six months from that time before the government Agent and tell him that they wanted to take land there? A I don't know.
Q You were sixteen or seventeen years old at that time? A I don't know---I was not sixteen or seventeen years old when I left there, I was only ten or eleven.
Q Then you left Mississippi before the year 1830? A I don't know
Q This treaty was entered into about seventy years ago; now you have testified that you are somewhere in the eighties and that

#6

you were ten or eleven years old when you left Mississippi. Then you left Mississippi before this treaty was entered into? A Yes, sir.

Q Did your father or mother leave Mississippi with you? A No, sir; they had gone from Mississippi when I left Mississippi.

Q Then you did not leave Mississippi with your father and mother? A No, sir.

Q Then they must have left Mississippi before the year eighteen hundred and thirty? A If they did I don't know. They went off when the rest of them did.

Q Then you don't know whether your father or mother or you were living in Mississippi in eighteen hundred and thirty or not? A No, sir.

Q You don't know that your mother or father ever complied with any part of this treaty that I have explained to you? A No, sir; I don't know that they did.

Q About how old do you think you are? A I don't think I am a bit short of eighty-two.

Q And you were ten or eleven years old when you left Mississippi? A Yes, sir.

Q And your father and mother left Mississippi before you did? A They had not been gone long.

The applicant testifies that she is the daughter of full blood Choctaw parents; has the appearance of a person possessed of Indian blood; her features also indicate the possession of white blood.

Q Do you speak or understand the Choctaw language? A I have seen the time when I could, I remember the time when I could not speak one word of English.

Her speech does not indicate a former use of the Choctaw language.

Q When you moved from the State of Mississippi to the state of Tennessee who did you go with? A I was taken away from Mississippi after my mother and father were gone.

Q Who did you go with? A George McWhirter.

Q Was he a white man? A Yes, sir; he was traveling around looking for land.

Q How long did you live with this man? A I never lived no longer, more than he could take me to Tennessee.

Q Whom did he leave you with? A A man by the name of Sharon.

Q Was he a white man? A Yes sir.

Q How long did you live with him? A I don't know McWhirter sent his son back for me.

Q Where did this son come from when he came for you? A From in the Western District.

Q Did you go away from Tennessee with this son of McWhirter's? A No, sir; I stayed in Tennessee, the reason I did not go, there were two of us, myself and a baby, the baby was tied to a post. He took the baby away with him and left me there.

Q Then you remained in Tennessee with this man Sharon how long? A I never kept no count of it, I stayed there until I got ready to leave. He said he would give me a home if I would accept it.

Q Was your husband a slave of Sharon? A No, sir.

Q Whom did he belong to? A To Denton.

Q You do not know what time it was that you left Sharon? A No, sir.

Q Where did you go to when you left this man Sharon? A I rented a little house and lived there.

Q Went to live by yourself? A Yes, me and the children.

#7

- Q What year was that? A I don't know.
- Q How old was your oldest boy at that time? A He was a grown man. I want to tell how I came to leave my folks. When I left my mother father had gone with these Indians wherever they had started to and they left me there with that baby; the baby was tied to something, to a post that was driven in the floor, and they took the baby and would not go off and left with the baby and I tried to call old grandma' Wake and he just took me up and put me in a wagon and then put me on a boat and carried me to Tennessee and left me with a man by the name of Sharon and kept the baby and told me to stay there until he went to the cider-press and he would be back and I never seen that one from that time to this but his son Barney came there and said that his father had sent him after me, and he had some business in Court there and he stayed there for a week and stayed where I was staying at night and I had to go back to the family. The old man Sharon had that on my age I guess. His evidence was sent in on the application, the first papers I first got up, she gave her evidence and so did her husband. When Barney got back she put it my head to ask where the baby was and he said the baby was about forty miles from there.
- Q Did you ever hear from your father or mother after they went with the Indians? A Yes sir.
- Q Where did you hear from them? A In Mississippi, still at the old home. The reason I did not go back with Barney he did not know where the baby was and then he told me that if I wanted to go with him I could but if not I did not have to.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on February 14, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date of February 1902.

G. Rosenwinkel

Subscribed and sworn to before me this 17 day of February 1902.

John H. H. H. H.
Notary Public.

J.R.B.
C.W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Emeline Coffey, et al., for identification as Mississippi Choctaws, consolidating the applications of

Emeline Coffey,	M C R 960
Jennie Gray,	M C R 963
John Denton, et al.,	M C R 964
Netella Denton,	M C R 965
Maria Hughes,	M C R 966
Billy Denton, et al.,	M C R 967
Mary Ann Groves,	M C R 968
Clabern Denton, et al.,	M C R 969
Grif Denton, et al.,	M C R 970
Martie Reed,	M C R 999
Tammara Hickman, et al.,	M C R 1000
Jane Crisp, et al.,	M C R 1002
Bettie Watkins, et al.,	M C R 971
Clabern Denton, et al.,	M C R 972
Lula Roberson, et al.,	M C R 973
Joseph Hughes, et al.,	M C R 1016
Bennie Sutton, et al.,	M C R 1018

--- DECISION: ---

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Emeline Coffey for herself; by Jennie Gray for herself; by John Denton for himself and his minor child, Tammara Denton; by

Estella Denton for herself; by Maria Hughes for herself; by Billy Denton for himself and his two minor children, Hosié and Enola Denton; by Robert T. Graves for his wife, Mary Ann Graves; by Claborn Denton (No. 1) for himself and his five minor children, Hubbard, Burt, Beatrice, Dee and Margie Denton; by Grif Denton for himself and his two minor children, Eva and Willie Denton; by Martie Reed for herself; by Texanna Hickman for herself and her two minor children, Bessie and Willie Hickman; by Jane Crisp for herself and her six minor children, John Henry, Robert S., Carrie, Ballie May, Jinnie Etta and Sampson Crisp; by Bettie Watkins for herself and her three minor children, Richard, Willie, and Seymour Watkins; by Claborn Denton (No. 2) for himself and his three minor children, Ethel, Eugenia and Roy Denton; by Lula Roberson for herself and her three minor children, Georgia May, Queen Esther, and Norma Fay Roberson; by Joseph Hughes for himself and his minor child, Allene Hughes; and by Scott Sutton for his wife, Bonie Sutton, and their two minor children, Maggie L. and Burkley Sutton, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September

3.

twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Henry Pertate, and Caroline Pertate, both of whom are alleged to have been full blood Choctaws, and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Henry Pertate, or Caroline Pertate, or Meline Coffey, the principal applicant herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stat., 100), and August 23, 1842, (5 Stat., 513).

It is therefore the opinion of this Commission that the


4.

evidence herein is insufficient to determine the identity of
Eveline Coffey, Jemie Gray, John Denton, Texanna Denton, Estella
Denton, Maria Hughes, Billy Denton, Hsie Denton, Enola Denton,
Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton,
Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton,
Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie
Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie
Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie
Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn
Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula
Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay
Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L.
Sutton and Burkley Sutton as Choctaw Indians entitled to rights in
the Choctaw lands under the provisions of said article fourteen of
the treaty of eighteen hundred and thirty, and that the applications
for their identification as such should be refused, and it is so
ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

AUG 30 1902

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory any copies of the records in my case that under the rule of law the Commission may give out to attorneys, as I have employed him to assist me in this case.

WITNESSES TO SIGN:

S. Tippet

Emeline Coffey.
by H. E. Robinson mark.

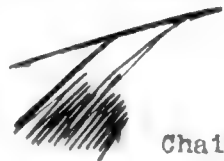
DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

MARCH 11, 1903.

In the matter of the consolidated Mississippi Choctaw case of Emeline Coffey, et al., consolidating therewith the cases of other applicants claiming descent from the same common ancestor.

Now on this 11th day of March, 1903, comes T.D. Taylor, Attorney for the applicants in the above entitled cause, and files his motion for a continuance therein for thirty (30) days from March 13, 1903; and after consideration of said motion it is the opinion of this Commission that the same should be granted, and it is so ordered; and further, that said attorney for the applicants be advised of the action of the Commission; and that the applicants be allowed until Monday, April 13, 1903, to introduce further testimony in support of the above entitled cause.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

(COPY)

In the Matter of the Consolidated Mississippi Choctaw Case
Emeline Coffey et al., M. C. R. 960.

Now comes Emely Coffey by her attorney, T.D. Taylor, and
moves your Honorable Commission to continue the further hearing of
this case for the following reasons:

That Emely Coffey is now confined to her bed with a serious
attack of pneumonia, and at this time unable to appear before your
honorable body for further investigation, and respectfully asks
the hearing be continued for a period of thirty days from this
date.

(Signed) T.D. Taylor, Attorney.

United States of America, *

Western District of the Indian Territory. *

John Denton, being first duly sworn on oath says:

I am the son of Emeline Coffey. That I was at her house on the
9th day of March, 1903; that she is now confined to her bed with
a serious attack of pneumonia, complicated with la grippe. That
she is unable to leave her room and unable to appear before this
Commission for further hearing in the matter of her application
for enrollment as a Mississippi Choctaw. That he verily believes
that if further time be granted that she will probably be able to
attend at a later date.

Witness to mark: P.E. Heckman, his
I.N. Ury. (Signed) John + Denton
mark

Subscribed and sworn to this 11 day of March, 1903.

(SEAL) (Signed) P.E. Heckman,
My time Notary Public.
or commission expires Aug. 15, 1906.

(COPY)

In the Matter of the Consolidated Mississippi Choctaw Case
Emeline Coffey et al., M. C. R. 960.

Now comes Emely Coffey by her attorney, T.D. Taylor, and
moves your Honorable Commission to continue the further hearing of
this case for the following reasons:

That Emely Coffey is now confined to her bed with a serious
attack of pneumonia, and at this time unable to appear before your
honorable body for further investigation, and respectfully asks
the hearing be continued for a period of thirty days from this
date.

(Signed) T.D. Taylor, Attorney.

United States of America, •

Western District of the Indian Territory. •

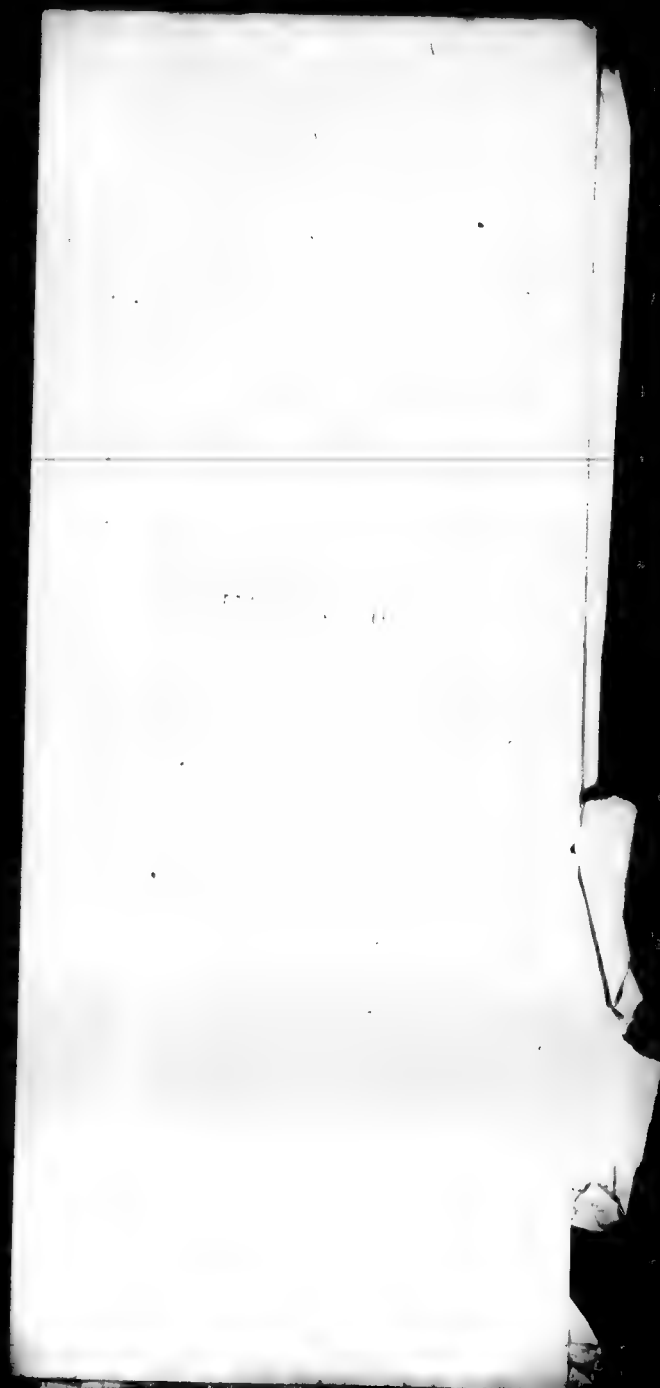
John Denton, being first duly sworn on oath says:

I am the son of Emeline Coffey. That I was at her house on the
9th day of March, 1903; that she is now confined to her bed with
a serious attack of pneumonia, complicated with la grippe. That
she is unable to leave her room and unable to appear before this
Commission for further hearing in the matter of her application
for enrollment as a Mississippi Choctaw. That he verily believes
that if further time be granted that she will probably be able to
attend at a later date.

(Signed) John + Denton
Witness to mark: P.E. Heckman, his
I.N. Ury. mark

Subscribed and sworn to this 11 day of March, 1903.

(SEAL) (Signed) P.E. Heckman,
My time Notary Public.
or commission expires Aug. 15, 1906.



In the Matter of the Consolidated Mississippi Choctaw Case
Emeline Coffee et al., M. C. R. 960,

Now comes Emeline Coffee by her attorney, J. G. Ralls, and moves your honorable Commission to continue the further hearing of this case for the following reasons:

That Emeline Coffee is now confined to her bed with a serious attack of pneumonia, and at this time unable to appear before your honorable body for further investigation, and respectfully asks the hearing to be continued for a period of thirty days from this date.

Emeline Coffee
by J. G. Ralls

UNITED STATES OF AMERICA
Western District, Indian Territory.

I, Cloybourn Denton, being first duly sworn on oath says I am the son of Emeline Coffee. That I was at her house on the 8th day of March 1903; that she is now confined to her bed with a serious attack of pneumonia, complicated with la grippe. That she is unable to leave her room and unable to appear before this Commission for further hearing in the matter of her application for enrollment as a Mississippi Choctaw. That he verily believes that further time be granted that she will probably be able to attend at a later date.

Attest J. E. McCreary

Cloybourn Denton
mark

Subscribed and sworn to before me this 13 day of March, 1903.

J. E. McCreary
Notary Public.

M.C.R. 960.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory.
April 13, 1903.

In the matter of the consolidated Mississippi Choctaw
case of Emeline Coffey, et al., embracing the following applications
for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	989
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1008
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1015

In accordance with the letter of the Secretary of the Interior dated December 18, 1902, remanding the above entitled cause to this Commission for rehearing, the applicants in this consolidated case and their attorneys of record were duly notified that the Commission would, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such witnesses as might present themselves in person and receive for consideration such documentary evidence as might be presented tending to show the rights of the several applicants in this consolidated case to be identified as Mississippi Choctaws under section 41 of the act of Congress approved July 1, 1902 (32 Stats., 641), which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902.

February 9, 1903, upon motion of the principal applicant, Emeline Coffey, a continuance of thirty days in this case was granted from February 11, 1903, or until March 13, 1903.

On March 11, 1903, upon application of T.D. Taylor, attorney for applicants, a further continuance of thirty days was granted in this cause.

Now on this date, April 13, 1903, appears J.C. Ralls, Attorney for applicants; and J.F. Young and J.R. Pulliam, witnesses appearing in behalf of the applicants in this consolidated case; and the following proceedings were had:

J.F. Young being first duly sworn as a witness testified as follows:

Examination by the Commission:

Q What is your name? A J.F. Young.
Q What is your age? A Fifty.
Q What is your postoffice address? Ardmore, Indian Territory.
Q Mr. Ralls, what do you expect to prove by this witness?

By Mr. Ralls, Attorney for applicants:

A I expect to prove by this witness that he has been acquainted with Choctaw Indians for some time, been among them and associated with them, and that he is acquainted with the principal applicant, Emeline Coffey; that Emeline Coffey is now sick and unable to attend; and that she has the physical characteristics and appearance of being a full blood Choctaw Indian woman.

Q How long have you lived in Indian Territory, Mr. Young?

A About nine years.

Q Where did you live before that? A I was general missionary in Indian Territory at that time, my family was at Henrietta. I was at Ardmore.

Q What I mean is, where did you live before you came here?

A Henrietta, Texas.

Q Since your removal to the Indian Territory, have you lived among the Choctaw and Chickasaw Indians a great deal? A Among the Chickasaws all the time. There are not many Choctaws at Ardmore. I have been amongst them all the time.

Q Are you acquainted with the principal applicant in this case, Emeline Coffey? A I am.

Q How long have you known her? A Three years.

Q Does she possess the physical characteristics of an Indian?

A In my opinion, she does.

Q Have you ever known any full blood Choctaw Indians? A I have.

Q How many? A I suspect a thousand or more; I don't know exactly. As a missionary I have preached to as many as three thousand Indians at one time, both Choctaws and Chickasaws.

Q Does Emeline Coffey have the appearance of a full blood Choctaw Indian? A I would so regard it.

Q Does she speak and understand the Choctaw language? A I cannot answer that question as I do not know the Choctaw language. She speaks Indian.

Q You are sure she speaks the Indian language? A Yes, I take it for that, but I do not know the Indian languages at all.

Q Are you able to distinguish between a three-quarter blood Choctaw Indian and a full blood? A I would not like to answer in the affirmative.

Q Then if you are not positive of your ability to distinguish between a three-quarter Choctaw Indian and a full blood Choctaw Indian, you would not like to swear that Emeline Coffey is a full blood Indian, would you? A From my experience and connection with them, I would believe her to be a full blood Choctaw Indian. I could not swear positively that she was.

Q Have you not in your work among the Indians seen many three-quarter blood Choctaw Indians who would ordinarily pass for full bloods? A I think I have.

Q Then you are not positive as to Emeline Coffey being a full blood Choctaw Indian? A I would not swear positively that she was.

By Mr. J.C. Ralls, Attorney for applicants:

Q Are you related to her in any way? A No sir.

Q Have you any interest in the prosecution of this case? A Not a bit.

Q Where is Mrs. Coffey now? A She was lying on a sickbed Saturday about two o'clock, and probably will never get up.
 Q About how old would you take her to be? A I would take her to be about 65 or 70 years old, maybe older than that.
 Q She is the same person who has applied to be identified as a Mississippi Choctaw? A Well, yes. I was here with her when she came first.
 Q You saw her when she was first before the Commission? A Yes sir.
 Q Do you know which one of the examiners heard her evidence?
 A I cannot be positive. I think it was Mr. Beall.

By the Commission:

Q Doctor, you say you have no interest in this case whatever?
 A None whatever.
 Q Have you any interest in any other Mississippi Choctaw case before this Commission? A Only the case of myself, wife and family which was rejected. Both myself and wife were rejected by the Commission and by the Secretary of the Interior.
 Q You have no interest in any other cases of full blood Mississippi Choctaw Indians before this Commission? A I have power of attorney to select lands for a family of full blood Mississippi Choctaws who are yet in Mississippi.
 Q Are you interested in any manner in any other full blood Mississippi Choctaw cases before this Commission? A I am not.
 Q And you have no interest whatever in this case? A None whatever.
 Q Were you acquainted with the parents of Emeline Coffey? A No sir.
 Q You know nothing about them? A I know nothing whatever about her ancestors at all.

—:—

J.R. Pulliam being first duly sworn as a witness upon his oath testified as follows:

Examination by the Commission:

Q What is your name? A John Robert Pulliam.
 Q How do you spell your last name? A P-u-double l-i-a-m.
 Q How old are you? A Sixty-one.
 Q What is your postoffice address? A Ardmore, Indian Territory.
 Q How long have you resided in Indian Territory? A Seven years.
 Q Where did you live before that? A Texas.
 Q What do you expect to prove by this witness, Mr. Balls?
 A By Mr. Balls, Attorney for applicant:
 We expect to prove the same as by the other witness; or the same in substance.
 Q Mr. Pulliam, are you acquainted with the principal applicant in this case, Emeline Coffey? A I am, sir.
 Q How long have you known her? A Four years, about, sir.
 Q Were you ever acquainted with her parents? A No sir.
 Q You know nothing of them whatever? A No sir, nothing at all.
 Q During your residence in the Indian Territory, what opportunity have you had, if any, to acquire a knowledge of the personal appearance of full blood Choctaw Indians? A I have been pretty active going around over the country and have dealt with the

the Indians and been mixed up with them considerably, and had before I lived here. I have been going backward and forward through the Indian Territory for the last forty years. I was here some during the war, with the Confederate army.

Q From your association among the Choctaw Indians are you able to distinguish between a full blood Choctaw Indian and a Choctaw Indian of say three-quarter blood? A I think I am, sir.

Q Are you sure you are? A Well, I might say that I was. Yes.

Q Have you never in your experience seen any Choctaw Indians of the three-quarter blood who might easily pass for full bloods?

A I may have, sir.

Q Well, have you or have you not? A I have seen Indians like I have seen other people that are mixed. I think that I would know a full blood Indian. I think I would when my attention was directed to them and called to them.

Q Has your attention ever been called or directed to any Indians of lesser blood than full blood who might easily pass for full blood Indians? A I don't know as to that, sir. I have never associated with Indians with a view of placing them together in that light. I look upon them like I would negroes that were mulatto and full blood negroes, or negroes that were crossed. Never having had any particular interest as to the degree of Indian, I don't know about that. In this case particularly I have been associated with this woman and have been called upon to notice her closely.

Q What is your judgment in relation to this applicant, Emeline Coffey, as to her being a full blood? A I think she is a full blood Choctaw Indian. That is my judgment.

Q Are you able to distinguish the difference between a full blood Choctaw Indian and a full blood Indian of any other race or tribe?

A Well, yes, some of them I can. I can tell a Choctaw Indian from a Comanche Indian.

Q Can you tell a Choctaw from a Chickasaw Indian? A Ever since I have been associated with these Indians, I have been associated with Choctaws and Chickasaws together, and I don't know whether I could tell them apart or not. I might.

Q But you are not able to swear positively that you know a full blood Choctaw from a full blood Chickasaw? A No. I think I would, but I don't know. I have been mixed up with them about the same, sir.

Q What is the difference in the characteristics of a full blood Choctaw and a full blood Chickasaw? A I don't know, sir; have known the two tribes together. We have about as many Choctaw Indians in our nation as we have Chickasaws.

Q Then if you are not able to tell the difference in their characteristics, how can you say that you can tell the difference between a full blood Choctaw and a full blood Chickasaw? A I did not say I could.

Q Then you say now that you do not know whether you would be able to tell the difference between a full blood Choctaw and a full blood Chickasaw or not? A Well, I think it is doubtful, sir, whether I could or not. I could tell a full blood Indian; but a full blood Choctaw from a full blood Chickasaw-- I don't know whether I would or not.

- Q Your best opinion is now that this woman, Emeline Coffey, is a full blood Choctaw Indian? A Well, yes, I think she is a full blood Indian and, yes, I think she is a full blood Choctaw Indian. We have a good many Mississippi Choctaw Indians at Ardmore, and have had for some time. They have been about there and I have seen them every day, and have been seeing them for five years, and she looks a good deal like them.
- Q Can you tell positively as to whether she is a full blood Choctaw Indian, or might she not be a full blood Chickasaw Indian? A Well, my judgment is, she is a Choctaw.
- Q How do you arrive at this judgment? A I arrive at it by a comparison with those Choctaws who have been about there from Mississippi. Comparing her along with them, looking at them and seeing them, she looks just like the other Mississippi Choctaws. That would be my judgment. I arrive at this conclusion same as I would in comparing different animals to determine their species. I have a good opportunity there at Ardmore to see those Mississippi Choctaws and I look at them, and I see her. Full blood Chickasaws are tolerably scarce, but of full blood Choctaws there are a good many, and she looks like them; and my association with them, and judgment after having seen them, inspires me with that idea, that she is a full blood Choctaw Indian.
- Q Does she speak or understand the Choctaw language? A I don't know. She speaks English to me.

By Mr. Ralls, Attorney for applicant:-

- Q Are you related to her in any way? A None at all, sir.
- Q Have you any interest in the prosecution of this case? A Not a bit, sir.
- Q Where is Mrs. Coffey at this time? A She is in Ardmore, sick in bed. I saw her Saturday-- was at her house.
- Q What is the color of her hair? A Her hair is now gray, nearly white.
- Q How old does she appear to be? A Well, I asked her daughter when I went Saturday to see her-- she was sick in bed and physically unable to do anything-- I asked her daughter how old she was and her daughter said she did not know how old she was. I asked her if her mother knew. She said she did not think she did. She thought she was eighty or more than eighty.
- Q You never heard her testify as to whether she could speak the Choctaw language or not? A No sir, know nothing about that at all.
- Q Do you know Dr. J.W. Smith? A Yes sir.
- Q And do you know Wm. T. Bogie? A Yes sir.
- Q Where do these doctors live? A Dr. Bogie and Dr. Smith both live at Ardmore, are old practicing physicians there.
- Q Do you know Dr. Chancellor? A No sir, he is a new doctor at Ardmore.

By the Commission:

- Q Are you interested in any way in Mississippi Choctaw applications before this Commission? A Not in the least.
- Q You have no interest in this case? A None at all. None whatever.

Attorney for applicant offers in evidence ex parte affidavits of J.W. Smith, M.D., Wm. T. Bogie, M.D. and Philip S. Chancellor, M.D., as to the physical condition of Bessie Coffey, which are filed, marked exhibits "A", "B" and "C" respectively and made a part of the record herein.

Q Mr. Ralls, do you desire any additional time in this case in which to have the applicant appear personally before the Commission?

By Mr. Ralls:

A From the information I have, I don't think we could get her here, that she may never get off the sickbed where she is now. However, I would not object to having thirty days additional time so that if she does recover and can be brought here we could have her appearance in person; or if in the meantime any arrangement could be made so that some person representing the Commission could visit Ardmore and see her in person, that that might be made a part of the record. To say that I want time granted to bring her before the Commission would not be fair to myself or her, because I am informed that she will never be able to come.

By the Commission:

The application for a continuance in this case of thirty days from this date is granted upon instructions of Chairman Bixby.

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Beryl Ingram being duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all the proceedings had in the above entitled cause on the 13th day of April, 1903; and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Beryl Ingram

Subscribed and sworn to before me this 14th day of April, 1903.

Charles H. Sawyer
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, INDIAN TERRITORY, June 9, 1906.

IN THE MATTER of the application for the identification of Emeline Coffey as a Mississippi Choctaw, M.C.R. 960.

The Department on May 23, 1906, rescinded its action of June 20, 1902, in affirming the decision of the Commission to the Five Civilized Tribes, refusing the application for the identification of Emeline Coffey as a Mississippi Choctaw, and remanded the record in the case with instructions that a rehearing be had on the merits, in as much as the evidence submitted on motion for reopening the case makes doubtful if Emeline Coffey was a full-blood Mississippi Choctaw.

On May 29, 1906, this office notified Albert J. Lee, Attorney at Law, Ardmore, Indian Territory, attorney for the heirs, and Mansfield, McMurray & Cornish, Attorneys for the Choctaw and Chickasaw Nations, of the action of the Department and notified them that the Commissioner would at his office at Muskogee, Indian Territory, on Saturday June 9, 1906, at 9:00 o'clock a. m., hear the testimony of such witnesses as might be presented tending to show that Emeline Coffey was a full-blood Mississippi Choctaw Indian.

APPEARANCES: Albert J. Lee, Ardmore, Indian Territory,
attorney for the heirs.
No appearance on behalf of the Choctaw and
Chickasaw Nations.

JACOB COOPER, being duly sworn testified as follows:

BY THE COMMISSIONER:

- Q What is your name? A Jacob Cooper.
Q How old are you? A 46 years old.
Q What is your postoffice address? A Brock.

The witness is identified as No. 91 Dawes Commission Roll,
as a full-blood Mississippi Choctaw.

BY MR. LEE: I would like to introduce his testimony.

- Q (To witness) Mr. Cooper, when did you come to the Territory?
A Well along in about the 19th of December, 1902.
Q Did you come at the same time a large number of other Choctaws
came from Mississippi? A Yes sir.
Q Have you been in the Territory ever since the date that you
just mentioned? A Yes sir.
Q How long after you came to the Territory before you received
your allotment? A Well it was---I came here in December,
and I taken an allotment in May.
Q Where is your allotment located? A Well part of it right
there by Brock, and the other part is there by Cornish.
Q In what Nation? A Chickasaw.
Q Do you work your own allotment? A That is my own individual
allotment?
Q Yes? A Yes sir.
Q Farm yourself, do you? A Yes sir.
Q How many crops have you made since you came to the Territory?
A I am on my fourth crop I have made here.
Q Do you work yourself or hire some body to work? A I works
it myself.
Q Are you in good circumstances---you don't owe any money or
anything of that kind? A Well yes sir, haven't loaned
any money though.
Q Do you owe any money, I say? A No sir, I don't owe any money.
Q Did you ever know a woman named Emeline Coffey? A Yes sir.
Q How long after you came to the Territory before you first
met her? A It wasn't but just a few days after I come
to the Territory.
Q Where did you meet her? A In Ardmore.
Q Can you state where in Ardmore you first met her? A In Jim
Arnold's office when I first saw her.
Q Who is Jim Arnold? A Jim Arnold, they claims. I don't know
where he lives. They told me he lives in South McAlester.
Q Where was he at the time you were in his office? A Ardmore.
He is the man that brought us out here.
Q You saw Emeline Coffey in his office? A Yes sir.
Q How many times? A Three or four times.
Q Did you ever have any talk with her? A Yes sir.

- Q What did you talk about? A She got to telling me who she was, and where she was from, and I had a good many talks with her.
- Q Where were you raised, Mr. Cooper? A In Mississippi, Jasper County.
- Q Were you raised among Indians or white people? A Among my own people.
- Q Indians? A Yes sir.
- Q Were you acquainted back there with both full-blood and mixed breed Indians? A Oh, yes.
- Q Do you claim that you can distinguish between a full-blood Indian and a mixed breed? A Yes sir.
- Q Do you think that you can distinguish between a full-blood Indian and a 3/4 Indian? A Yes sir.
- Q State how? A It is this way. Just in the looks, and different in otherwise, and in the language and the way that they have.
- Q They have a different way, do they, from the mixed breed?
- A Oh, yes, yes sir.
- Q Does a full-blood Indian have different ways from a 3/4 Indian?
- A Yes sir.
- Q Is there any difference in the appearance of the eye? A Oh, yes.
- Q What difference? A Well our tribes has, all naturally has a black eye--black eyed, and the eye brows, always to be different there.
- Q In what way different? A Well as I always noticed in our full-blood has a crook around the nose, and the eyes is kinder straight across.
- Q Well is there anything in the speech that you can distinguish between a full-blood and a 3/4 Indian? A Yes sir.
- Q Do you think you could also distinguish a difference on close scrutiny between a 7/8 and a full-blood? A Well, no sir, I can't on that; it is so near together.
- Q Positively? A No sir.
- Q Well from your intimate acquaintance with Indians, and having been raised with them all your life, and claiming to be able to judge the difference, and having talked with Emeline Coffey, what is your judgment as to whether she was a full-blood or not? A Well I just taken her to be a full-blood after I had a little talk with her, on the first time that I ever met up with her.
- Q So you decided that she was a full-blood? A She naturally just looked like one of our people, and then I questioned her, and questioned her about where she was raised, and so she up and told me, and I sorter believed that she was a full-blood.
- Q Did she have any of the same broken expressions of language that full-bloods have? A Yes sir, just the same talk.
- Q Talked like you do? A Yes sir.

Mr. LEE: That is all I want to show by this witness.

BY THE COMMISSIONER:

- Q You state that you came to the Territory in the fall of 1902,
and was it that fall that you first met Emeline Coffey?
A Yes sir.
Q Had never known her before that time?

MR. LEE: I want to offer an objection here, or rather submit the proposition that this case is here for hearing, and there being no appearance on behalf of the Choctaw and Chickasaw Nations, is necessarily an ex parte proceeding. It being an ex parte proceeding, and there being attorneys for the Choctaw and Chickasaw Nations for the purpose of cross-examining witnesses, and being present for that purpose, we submit that it is not the duty of the Commissioner to cross-examine our witnesses. If we don't make out a case it is his duty to dismiss it.

BY THE COMMISSIONER: Objection noted.

- Q (To the witness) Do you know where Emeline Coffey was raised?
A Where she was raised?
Q Where she was raised? A No sir.
Q Don't know the names of her parents? A No sir.
Q Don't know how much Choctaw blood she had? A No sir.
Q Don't know anything about her parents at all? A No sir.
Q And you have only seen her on two or three occasions in the office of Arnold at Ardmore? A Yes sir.
Q How did it come about that while you were in that office you conversed with her relative to her Indian blood?
A Just happened to meet her, and first seen her it was there, and I just kinder questioned her as to who she was and where she was from.
Q Did she tell you where she was from? A Yes sir.
Q From what place? A I never thought anything more about it after she told me. Told me of different places and I never thought anything more about it.
Q You stated that from her appearance you would judge her to be a full-blood? A Yes sir.
Q Did you have occasion to think at the time you met her that you would ever be called upon to testify relative to that fact? A No sir, but then---
Q How then did you scrutinize her so closely that you could testify relative to her peculiar characteristics?
A Just this, simply because I thought she was a full-blood.
Q You asked her did you? A Yes sir, after I saw her and talked with her a few minutes I just up and asked if she was a Choctaw.
Q Asked her if she was a Choctaw? A Yes sir.
Q Asked her if she was a Choctaw by blood? A Yes sir.
Q What interest did you have in knowing that fact? A If she was a Choctaw, a full-blood, I wanted to become acquainted with her.

- Q Did you notice her hair on the time you met her? A Yes sir.
- Q Did she wear anything on her head? A No sir.
- Q Bareheaded? A Yes sir.
- Q Did you look closely at her hair? A Yes sir.
- Q Did it have the appearance of being kinky at the roots? A No sir.
- Q Positive about that? A Yes sir.
- Q Now you also testified on direct examination that you particularly noticed her eye-brows and the color of her eyes? A Yes sir.
- Q Don't you think it is something unusual to pay particular attention to these details? A No sir, where I thought I was correct, I didn't think it was anything wrong.
- Q Do you notice for these characteristics in every Indian you meet? A Yes sir, if I think he is an Indian.
- Q You always stop to look at the color of their eyes and hair, and the shape of their eye-brows? A No sir.
- Q You also state that you judge whether or not a party was an Indian by blood by their way and peculiarities, etc. Now isn't it a fact that Indians, full-blood Choctaw Indians and mixed blood Indians, where they reside in different places have a different way from those Choctaws residing in Mississippi? A Yes sir.
- Q Have you ever lived in Louisiana or southern Mississippi? A No sir.
- Q Then are you able to judge of the peculiarities of Indians who live down there? A Yes sir.
- Q You still are? A Yes sir.
- Q Without ever having come in contact with them? A Yes sir.
- Q Isn't it a fact that Choctaw Indian and mixed blood, frequently speak as good Choctaw language as an Indian of full-blood and in the same way? A Yes sir.
- Q And is it not also a fact that a Choctaw Indian of mixed blood who has been raised in a full-blood settlement has the same characteristics as other Indians around him? A No sir.
- Q What difference would there be? A Well they shore will have the different actions all the way round. Don't make no difference how you may get at it. Yes sir.
- Q Haven't you seen mixed blood Indians that you could not distinguish from full-bloods? A No sir.
- Q Never did see any one? A No sir, never did see one. There is always a difference.
- Q You stated that you were unable to distinguish between a 7/8 and full-blood didn't you? A No sir.
- Q Didn't you state in answer to a question of Mr. Lee's that you couldn't tell the difference between a 7/8 and a full-blood Indian at all? A Yes sir, I did: I can't, they are so much alike.
- Q Even if they had a little less than 7/8's, you wouldn't be able to tell, would you? A Haven't seen many of them.
- Q Then you don't know anything about it then? If you haven't seen many of them you wouldn't know? A No sir.

- Q Did you notice the color of Emeline Coffey's eyes? A Yes sir.
- Q What color? A They were black.
- Q What was the color of the dress she wore at the time you met her? A Didn't pay any attention to that.
- Q What kind of a waist did she wear that day? A Never paid any attention to it at all that day.
- Q Who was with her? A No body but myself.
- Q Who was in this office on the occasions--- A This fellow Jim Arnolds and Mrs. Tippitt and a man by the name of Mr. Tippitt.
- Q Tippitt and Mrs. Tippitt were connected with Arnold in this office, were they not? A Yes sir.
- Q Were there any other Indians present on this occasion?
- A Well, yes sir.
- Q Who were they? A Yes sir, just lots of them off and on.
- Q Who were they? A Well there was these people and some people out of my country.
- Q Name some of these people who were there? A Well, these here Taylor and Alex Byers was there.
- Q Was Taylor a full-blood? A Yes sir.
- Q He was? A Yes sir.
- Q Did Emeline Coffey have any children with her on any of these occasions you claim to have seen her? A No sir.
- Q Did you converse with her in english? A Yes sir.
- Q Didn't talk any Choctaw at all? A No sir.
- Q Isn't it a fact that full-bloods in one locality have different ways than full-bloods in another locality? A I don't know sir, I don't understand the question.
- Q Isn't it a fact that a full-blood living in the northern counties of Mississippi have a different way and manner, both in action and speech than a full-blood who is raised down in Louisiana or southern Mississippi? A No sir.
- Q Have you ever lived down in southern Mississippi or Louisiana?
- A No sir.
- Q Then how do you know this is a fact? A Well I have seen them in passing by. Saw them in passing.
- Q Have seen them in passing? A Yes sir.
- Q You have never had any excessive acquaintance with any of these full-bloods in either Mississippi or Louisiana?
- A Yes sir, different counties. Yes sir, was born and raised in Jasper County, but was passing back and forwards from Neshoba and Newton counties, and all around. Just kinder traveled back and forwards.
- Q Have you ever lived in Louisiana? A No sir.
- Q Southern Mississippi? A No sir.
- Q In what counties have you always lived? A Jasper county. Born and raised in Jasper county.

MR. LEE: I don't want to seem persistent, but I would like to have the record show the ruling on the objection, rather than just a notation.

THE COMMISSIONER: You stated you objected to the testimony---

Mr. LEE: I do object to the cross examination, for there are attorneys paid by the Choctaw and Chickasaw Nations for that purpose.

THE COMMISSIONER: The Commissioner feels it to be his duty to draw out all the facts in any particular case which may come before him for adjudication, and that is the only object which we have in view. This has always been our practice, and we expect to continue along that line. Our only effort is to get at the facts in the case. We are not endeavoring to try the case in behalf of the Choctaw and Chickasaw Nations.

MR. LEE: We further object on the ground that the cross-examination was not an elicitation of facts, but was an attempt to discredit the witness, and we submit that the Commissioner has no authority to make any such attempt. That the law directs he shall hear this case, and not take up facts on behalf of either litigant---either for the litigant or for the Nations. We object to the proceeding being conducted in this manner.

THE COMMISSIONER: If you will not consent to the cross-examination of the witnesses, we will telephone for the attorneys for the Choctaw and Chickasaw Nations.

MR. LEE: I insist on the case being heard either ex parte or that the attorneys for the Choctaw and Chickasaw Nations be present.

Case continued until 2:00 o'clock p. m.

Pursuant to the continuance to 2:00 o'clock p. m., June 9, 1906, and that time having arrived, the case was called and the following

APPEARANCES entered: Albert J. Lee, Ardmore, Indian Territory, attorney for the heirs.
G. Rosenwinkel, South McAlester, Indian Territory, representing Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations.

MR. LEE: I desire to ask the Commissioner the status of the testimony taken at the morning session, as to whether the witness was excused or whether he is still on the stand before the Commissioner.

THE COMMISSIONER: This is a part of the proceedings of this morning.

MR. LEE: Then you better state that the witness who testified this morning is still on the stand and before the Commissioner. Was the witness excused this morning?

THE COMMISSIONER: The witness was not excused this morning; is still before the Commissioner.

MR. ROSENWINKEL: I do not want to ask this witness (Cooper) any question; I will rest on the Commissioner's proceedings.

The Nations object to any proceedings in this cause, for the following reasons: Our contention is that Section 21 of the Act of Congress approved April 26, 1906, did not contemplate that the heirs of deceased Mississippi Choctaws who had not theretofore been identified should be permitted to come in now and make proof of settlement. In other words, it is our belief, and has been the universal ruling of the Department that Mississippi Choctaws who have not been identified or who died prior to their making proof of settlement in the Choctaw Nation had no standing whatever. We contend that it is the intention of Congress in passing this Act to give relief to Mississippi Choctaws who had been identified and had not made proof of settlement. The applicant in this case has never been identified.

The persons to be benefitted by this Act, as we understand it, are those Mississippi Choctaws who had been duly identified prior to the passage of this Act, and that does not include this applicant.

THE COMMISSIONER: Objection noted.

MR. LEE: I don't care to enter any plea to the objection raised. We rely upon the reference of the Secretary in the case. The reference of the Secretary made in remanding the case.

(Witness excused.)

JOHN R. PULLIAM, being duly sworn testified as follows:

BY MR. LEE:

- Q What is your name? A John R. Pulliam.
Q How old are you, Captain? A I am 65.
Q Where do you live Mr. Pulliam? A Ardmore, Indian Territory.
Q How long have you lived there. A Nearly about ten years.
I think I went there in 1896.
Q Mr. Pulliam are you commonly known and familiarly known as Captain? A Yes sir, I was a Captain in the Confederate Army.

- Q What regiment did you belong to? A I belonged to the 7th Texas Cavalry.
- Q Where was that regiment stationed most of the time? A In trans-Mississippi territory up to the Missouri line.
- Q Were you ever located in the Indian Territory? A Yes sir. I wintered here one winter. We went up through to the Missouri line, and I fell back and that winter we stayed at Shawnee Town.
- Q What do you do? A Handle cotton and real estate, during the cotton season.
- Q What was your business before you came to Ardmore? A Cattle man.
- Q How many years had you been engaged in that? A Since the war up to the time of coming over here.
- Q Were you engaged in the cattle business during that period of time when cattle was driven across the country to Kansas City and Louisville? A Yes sir, I went into the cattle business right after the war.

MR. ROSENWINKEL: What is the purpose?

MR. LEE: The purpose of this question is to show the length of time this party has had to observe the Choctaw Indians.

- Q (To the witness) Did you go through the Indian Territory?
- A Yes sir, we passed through Texas and the Indian Territory west of this.
- Q Since moving to Ardmore have you ever known a woman named Emeline Coffey? A Yes, I knew Emeline Coffey when she came to Ardmore. I think that she came there in 1898. I don't remember quite the year. She came there with a family and settled in the same part of the town where I lived.
- Q Did you have any opportunity for noticing her at close range and frequently? Yes. The male part of her family and the female part both worked for me. She was frequently about our house. I would frequently hire one of the men. The men worked for me, and the women worked for my wife. I saw her every few days as long as she lived.
- Q Do you remember about what time she was taken ill? A I do not remember. She died three or four years ago. I knew at the time but I have forgotten.
- Q Can you state at this time whether her sickness covered a considerable time? A I think she lingered sick for some time. I had one of the men working for me at the time and I could hear him say that his mother was sick and not expected to live.
- Q Captain, do you think you could distinguish the difference between a full-blood Indian and an Indian of less blood?
- A -My judgment?

MR. ROSENWINKEL: Please answer the question.

- A (Witness) I think I could.

BY MR. LEE:

- Q By what could you distinguish, in what way could you distinguish? A Well there would be features, manner, color and complexion, stature, all such as that would be as well as I could tell you.
- Q Is there anything of a stoical look about an Indian that would be different from one who is white? A I attribute that--that is one of the things I would know them by, is their manner. I included that in manner and appearance.
- Q Now from your frequently coming in contact with Emeline Coffey and from your knowledge of Indians, did you consider her to be a full-blood? A I did, and think she was.
- Q And Jake Cooper who is sitting here just the other side of you has been identified as a full-blood Mississippi Choctaw, I will ask you from looking at Jake Cooper if you can note any characteristics about him that Emeline Coffey did not possess in her features? A Oh, women differ from men. They have the family appearance that men haven't. She looked something like the style of the old Indian who was in here today. The contour of her face and the dignity and manner of Indians. She looked more like him. -- Who was that old man?

MR. ROSENWINKEL: In here just a few moments ago---Hawkins.

A It was? I know a Judge Hawkins and I wanted to know. They have styles just like other people, you know. There are characteristics in them, you know. Some more alike than others.

BY MR. LEE:

- Q Did she have the same prominent features that Cooper has?
- A Oh, yes, I would call him an Indian. And for the reason that I might say his complexion, contour of his face, and the character of his hair and manner; just what you use in telling one thing from another. It differs in appearance and make-up.
- Q Would you hesitate any more to say that Emeline Coffey was an Indian than you would to say that Jake Cooper was an Indian? A I would think he was an Indian.

MR. ROSENWINKEL: I want to object to the answers of the witness. They are not responsive to the questions.

MR. LEE: The Captain didn't understand the question. I will state my question again, Captain.

- Q Would you pronounce Emeline Coffey, from her appearance, an Indian just as readily and as quickly as you would Jake Cooper to be an Indian? A That Emeline Coffey was an Indian is my judgment, and from my acquaintance with the Indians I think she was a full-blood Indian.

Mr. LEE: That is all.

BY MR. ROSENWINKEL:

- Q You wouldn't want to swear she was a full-blood Indian?
A I am on oath now.
Q Do you mean to swear positively that she was a full-blood Indian? A No sir, just think she was. That is my judgment.
Q I don't want your judgment. Will you swear positively that Emeline Coffey was a full-blood Choctaw Indian?
A Yes sir.
Q She worked for you as a laborer? A No sir.
Q How did she work there? A She didn't work there. Her son worked for me and her daughters worked for my wife.
Q Emeline was frequently around your house? A Yes sir.
Q Staid there a day or two at a time? A Well no, she came in the morning and in the evening would go back home.
Q Would she eat at the table with your family? A No sir.
Q Why not? A Never was there at meal time.
Q Never was there at meal time? A I don't know that she staid all day. She would come and stay as long as she wanted to and go away.
Q During all that time she was not at your house during meal time? A If she was she eat in the kitchen where the servants eat.
Q You wouldn't permit her to eat at your table? A Didn't do that.
Q You don't object to eating with Indians? A Didn't have any Indians.
Q You have eaten at the table with Indians, haven't you?
A Yes sir.
Q Isn't it a fact that the reason you didn't let her eat at your table is because you regarded her as a negro? A No sir. She was regarded as an Indian.
Q You can tell the difference between a full-blood Choctaw and a mixed blood Choctaw by his stature? A By what, stature?
Q Yes, by stature? Didn't you say that? A I didn't say that. I think I could tell an Indian from being a full-blood Indian from his appearance and manner and general make-up, that is---
Q You can tell the difference between a full-blood and a mixed blood? A Yes sir.
Q You could tell the difference between a full-blood and a 7/8's? A Yes, I think I could. Yes, I think I could.
Q Could you tell the difference between a full-blood Choctaw and Chickasaw? A I don't know whether I could or not.
Q How did you know Emeline Coffey was a Choctaw or Chickasaw?
A She has the looks and appearance of a Choctaw.
Q You testified she was a full-blood Choctaw, and you can't tell the difference between a Choctaw and a Chickasaw?
A I can in some instances.
Q Ordinarily you can't? A I think probably I might.
Q You think there is a difference between the Choctaws and Chickasaws? A They are two Nations of people.
Q Your statement is that there is some difference in their appearance? A I really don't know sir, how to answer that, whether I really know or think there is any difference between them or not, except that they are two different Nations.

- Q You say you can't tell the difference between a full blood Choctaw and Chickasaw? A Yes sir, I think I can.
- Q You think,--I would like to have you explain the difference?
- A I don't know hardly that I can do that, except that the Choctaw Indian is considered, is thought to be an Indian of more bone; they have a higher cheek, rougher face, rougher in their make-up and in physical appearance. The Chickasaw is a smaller man.
- Q That is your explanation? A I think that is the way--I think it that way.
- Q You don't know much about Indians, do you, Captain? A Yes, I know a good deal about them.
- Q Have you ever seen any Cherokees? A Yes sir.
- Q Can you tell the difference between a Cherokee and a Choctaw?
- A Yes sir, I used to tell the difference.
- Q Can you tell the difference? A When I was in the army there was an army of Cherokees and Choctaw and Chickasaws. I could tell them wherever I would see a Cherokee. Some of the best fighters were Cherokees. I would know them, and I would know the Choctaws and Chickasaws just as well. I could tell who they was every time I saw them.
- Q How about the Creeks? A Yes, we had some of them in our army, too.
- Q Are you familiar with the history of the Choctaw and Chickasaw Nations--are you familiar with their history? A I didn't say anything about history. I said history gave an account of the two nations.
- Q That is why you think there is a difference. Don't you know, as a matter of fact that the Choctaws and Chickasaws are exactly the same race of people, and that there is no difference in their physical make-up? A No, I don't know.
- Q You don't know that? I will ask you to explain to me how you are able to explain the difference? A My idea is just as I have explained to you.
- Q Then as a matter of fact, you don't know? A I think that they have been associated together until there is not much difference.
- Q The only difference you have been able to discover is between Emeline Coffey and other Indians? A No sir. I think that she was a full-blood Choctaw.

MR. ROSENWINKEL: That is all.

I would like to introduce the testimony of Emeline Coffey--

MR. LEE: That is already a part of the record.

MR. ROSENWINKEL: Testimony of Emeline Coffey taken at Ardmore, Indian Territory, December 5, 1901, in the matter of the application of Kate May for identification as a Mississippi Choctaw, wherein Emeline Coffey states that she was taken from Mississippi to Tennessee where an attempt was made to sell her as a slave.

MR. LEE: We object to the introduction of any testimony taken in any other case except this one. We do not mind admitting that Indians themselves were frequently sold as slaves.

MR. ROSENWINKEL: We think this testimony is competent as going to the credibility of Eueline Coffey.

MR. LEE: We object to the introduction of it.

THE COMMISSIONER: The testimony will be received and made part of the record in this case.

(To Mr. Lee) Have you any further testimony you wish to introduce on this point?

MR. LEE: I have no more testimony, and will rest the case there.

S. T. Wright, being duly sworn, states on oath that he is a stenographer to the Commissioner to the Five Civilized Tribes; that on June 9, 1906, he reported in full all proceedings had in the above entitled cause, and that the above and foregoing is a correct transcript of his stenographic notes thereof.

S. T. Wright

Subscribed and sworn to before me this June 12th, 1906.

Edward Herriek
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
CHICKASAW LAND OFFICE.
ARDMORE, IND. TER. JUNE 25, 1906.

In the matter of the proof of removal to and settlement within the Choctaw-Chickasaw country of Emeline Coffey, a Mississippi Choctaw Indian who died prior to being identified as such by the Commission to the Five Civilized Tribes:

Billie Denton, being duly sworn by H. C. Miller, notary public, testified as follows:

EXAMINATION BY THE COMMISSIONER:

- Q What is your name? A Billie Denton.
Q How old are you? A Forty-three.
Q What is your post-office address? A Ardmore.
Q Do you know Emeline Coffey? A Yes, I did.
Q Are you any relation to Emeline Coffey? A I'm her son.
Q Is Emeline Coffey living at this time? A No, sir.
Q When did she die? A April 20, 1903.
Q Where did she die? A Ardmore.
Q At whose house did she die? A Tobe Crisp's.
Q Is Tobe Crisp any relation to your mother, Emeline Coffey?
A Son-in-law.
Q Are you a citizen of either the Choctaw or the Chickasaw Nation? A A Citizen of the Choctaw Nation.
Q What is the name of your mother's father? A I don't know.
Q What is the name of your mother's mother? A I don't know.
Q Had your mother, Emeline Coffey at one time lived in the state of Mississippi? A Yes, sir.
Q What was her post-office address in Mississippi?
A I don't know, I was too young to keep up with post-office addresses.
Q Did your mother Emeline Coffey remove from the state of Mississippi to the Choctaw-Chickasaw country.
Q She was taken from Mississippi to Tennessee
Q Then where did she go? A Texas.
Q When did she remove from Tennessee to Texas? A During the War she come to Texas just before the War, was in Texas at the time of the War.
Q Did your mother, Emeline Coffey remove from Texas to the Choctaw-Chickasaw country in the Indian Territory? A Yes.
Q When did she remove from Texas to the Choctaw-Chickasaw country? A I think she come to the Chickasaw Nation in 1900
Q What month, do you know?
A In January.
Q Do you know what day in January? A No, sir, I don't.
Q You are sure tho that it was during the month of January, 1900?
A Yes.
Q Where did she locate at that time?
A Ardmore.

--2--Emeline Coffey.

- Q When your mother, Emeline Coffey removed from Texas to the Choctaw-Chickasaw country in the Indian Territory, did she bring her personal belongings and household goods with her?
- A Yes.
- Q Did she come to the Choctaw-Chickasaw country for the purpose of making this her permanent and bona fide home? A Yes, sir.
- Q After your mother, Emeline Coffey came to the Choctaw-Chickasaw country in the Indian Territory in January, 1903, was she ever off of the lands of the Choctaws and Chickasaws at any time for the purpose of establishing a residence or making a home elsewhere? A No, sir.
- Q Had she lived continuously on the lands of the Choctaws and Chickasaws from the time she came here in January, 1903, up until the time she died? A No, sir.
- Q Is there any one else here to-day who knew your mother and knows when she removed from the state of Texas to the Choctaw Chickasaw country in the Indian Territory? A Yes, Tobe Crisp and Jack Matthews.

Tobe Crisp, being duly sworn testified as follows:

- Q What is your name? A Tobe Crisp
- Q How old are you? A Fifty.
- Q What is your post-office address? A Ardmore.
- Q Were you acquainted with Emeline Coffey? A Yes, sir, I was.
- Q Are you related to her.
- A I'm her son-in-law.
- Q Is she living at this time? A No, sir, she is dead.
- Q When did she die? A She died the 23rd day of April, 1903.
- Q That other fellow said it was the 20th of April, 1903.
- A Well, she was at my house when she died and I know, sir.
- Q Did Emeline Coffey at one time live in the state of Mississippi? A Yes, she said she did, I don't know it to be a fact
- Q Do you know what her post-office address was in Mississippi?
- A No, sir, I don't.
- Q Did she remove from the state of Mississippi to the Choctaw-Chickasaw country?
- A Yes, she said she moved from Mississippi to Tenn., was what she told me.
- Q Then where did she go? A Then from Tenn. to Texas.
- Q Then did Emeline Coffey remove from the state of Texas to the Choctaw-Chickasaw country? A Yes, she did.
- Q When did she come from the state of Texas to the Choctaw-Chickasaw country? A Now, I know when she come here cause she lived with me in my house, and I brought her here with me during the month of October, 1898.
- Q When Emeline Coffey came to the Choctaw-Chickasaw country in October, 1898, where did she locate? A In Ardmore.
- Q Was she ever outside of the Choctaw-Chickasaw country for the purpose of establishing a residence or making a home elsewhere?
- A No
- Q Was she ever off of the lands of the Choctaws and Chickasaws at any time after she came here up until the time she died?
- A No, she was not.
- Q Was it the purpose of Emeline Coffey to make this her permanent and bona fide home? A Yes.

Jack Matthews, being duly sworn, testified as follows:

- Q What is your name? A Jack Matthews.
- Q How old are you? A Sixty-seven.
- Q What is your post-office address? A Ardmore.
- Q Were you acquainted with Emeline Coffey? A Yes, sir.

--3--Emeline Coffey.

- Q Is she living at this time? A No, sir.
- Q When did she die? A It was in the month of April, I don't remember what day. She has been dead two years.
- Q In what year did she die?
- A I expect it was 1903, I guess.
- Q Where did she die? A Died over here at this Mr. Crisp's house, north of town.
- Q Were you present at the time she died?
- A No, sir, not then at the time she died, but I was at the funeral.
- Q Did Emeline Coffey at one time live in the state of Mississippi? A Yes, sir, she come from Mississippi to Texas.
- Q She removed from the state of Texas to the Choctaw-Chickasaw country? A Yes.
- Q When was that? A I think about '99, the year, 1899 or 1900 maybe somewhere long there. I don't know exactly, I have not kept exact account. It was either 1899 or 1900.
- Q Do you know what month it was? A No.
- Q Where did Emeline Coffey locate when she came to the Choctaw-Chickasaw country?
- A They located in a house right south of town not far from the Mill.
- Q Was she ever off of the lands of the Choctaws and Chickasaws at any time after she came to the Choctaw-Chickasaw country up until the time she died? A No, she went over to Muskogee at one time.
- Q Was it her purpose to make this her permanent and bona fide home? A Yes.
- Q Did she live continuously on the lands of the Choctaws and Chickasaws from the time she came to the Choctaw-Chickasaw country up until she died? A Yes, sir.

The name of Emeline Coffey does not appear upon any of the records in the possession of the Chickasaw Land Office.

Helen A Smith, Stenographer to the Commissioner to the Five Civilized Tribes, on oath, states that the above and foregoing is a true and perfect transcript of her stenographic notes taken in said cause on said date.

Helen A. Smith

Subscribed and sworn to before me this 10th day of July, 1906.

W. C. Miller
NOTARY PUBLIC

IN RE
THE DEATH OF

a citizen of the

Nation.

Approved

190

Commissioner.

**DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.**

In the matter of the death of Emeline Coffey
(Here insert name of deceased.)
a citizen of the MISSISSIPPI CHOCTAW Nation, who formerly resided at or near
Ardenmore, Ind. Ter., and died on the 23rd day of
April, 1903.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.
I, Billie Denton, on oath state that I am 43
years of age and a citizen, by MISSISSIPPI CHOCTAW Nation;
that my postoffice address is Ardenmore, Ind. Ter.; that I am
son of Emeline Coffey
(State relationship: as the father, an uncle, a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by MISSISSIPPI CHOCTAW Nation
and that said Emeline Coffey died on the 23rd day of
April, 1903.
WITNESSES TO MARK: Billie Denton

(Must Be Two
Witnesses.)

Subscribed and sworn to before me this 15th day of June, 1906.

Fred T. Hearn
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.
I, Tobe Crisp, on oath state that I am 50
years of age, and a citizen by of the United States of the MISSISSIPPI CHOCTAW Nation;
that my postoffice address is Ardenmore, Ind. Ter.;
(Here insert name of postoffice.)
that I was personally acquainted with Emeline Coffey
(Here insert name of deceased.)
who was a citizen, by MISSISSIPPI CHOCTAW Nation;
and that said Emeline Coffey died on the 23rd day of
April, 1903.
WITNESSES TO MARK: Tobe Crisp

(Must Be Two
Witnesses.)

Subscribed and sworn to before me this 15th day of June, 1906.

Fred T. Hearn
Notary Public.

12
11
J.R.B.
C.V.W.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Eueline Coffey, et al., for identification as Mississippi Choctaws, consolidating the applications of

Eueline Coffey,	M C R 960
Jennie Gray,	M C R 963
John Denton, et al.,	M C R 964
Estella Denton,	M C R 965
Maria Hughes,	M C R 966
Billy Denton, et al.,	M C R 967
Mary Ann Graves,	M C R 968
Claborn Denton, et al.,	M C R 969
Grif Denton, et al.,	M C R 970
Mattie Reed,	M C R 999
Texasna Hickman, et al.,	M C R 1000
Jane Crisp, et al.,	M C R 1002
Bettie Watkins, et al.,	M C R 971
Claborn Denton, et al.,	M C R 972
Lula Roberson, et al.,	M C R 973
Joseph Hughes, et al.,	M C R 1016
Bonie Sutton, et al.,	M C R 1015

--: D E C I S I O N :--

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Eueline Coffey for herself; by Jennie Gray for herself; by John Denton for himself and his minor child, Texasna Denton; by

Estella Denton for herself; by Maria Hughes for herself; by Billy Denton for himself and his two minor children, Hesia and Enola Denton; by Robert T. Graves for his wife, Mary Ann Graves; by Claborn Denton (No. 1) for himself and his five minor children, Hubbard, Burt, Beatrice, Doc and Margie Denton; by Grif Denton for himself and his two minor children, Eva and Willie Denton; by Martie Reed for herself; by Texanna Hickman for herself and her two minor children, Beasie and Willie Hickman; by Jane Crisp for herself and her six minor children, John Henry, Robert S., Carrie, Sallie May, Jinnie Etta and Sampson Crisp; by Bettie Watkins for herself and her three minor children, Richard, Willie, and Seymour Watkins; by Claborn Denton (No. 2) for himself and his three minor children, Ethel, Eugenia and Roy Denton; by Lula Roberson for herself and her three minor children, Georgia May, Queen Esther, and Norma Fay Roberson; by Joseph Hughes for himself and his minor child, Allene Hughes; and by Scott Sutton for his wife, Bonie Sutton, and their two minor children, Maggie L. and Burkley Sutton, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September

3.

twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Henry Pertate, and Caroline Pertate, both of whom are alleged to have been full blood Choctaws, and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Henry Pertate, or Caroline Pertate, or Emeline Coffey, the principal applicant herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stat., 180), and August 23, 1842, (5 Stat., 513).

It is therefore the opinion of this Commission that the

evidence herein is insufficient to determine the identity of
 Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella
 Denton, Maria Hughes, Billy Denton, Hesia Denton, Enola Denton,
 Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton,
 Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton,
 Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie
 Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie
 Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie
 Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn
 Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula
 Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay
 Roberson, Joseph Hughes, Allene Hughes, Benie Sutton, Maggie L.
 Sutton and Burkley Sutton as Choctaw Indians entitled to rights in
 the Choctaw lands under the provisions of said article fourteen of
 the treaty of eighteen hundred and thirty, and that the applications
 for their identification as such should be refused, and it is so
 ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


 Acting Chairman.


 Commissioner.


 Commissioner.

Muskogee, Indian Territory,

AUG 30 1907

Department of the Interior.
Commission to the Five Civilized Tribes.

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In the matter of the application of Emeline Coffey
et al., for identification as Mississippi Choctaws, consolidat-
ing the applications of

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton et al.,	"	967
Mary Ann Graves,	"	968
Clabern Denton et al.,	"	969
Grif Denton et al.,	"	970
Martie Reed,	"	999
Texanna Hickman et al.,	"	1000
Jane Crisp et al.,	"	1002
Bettie Watkins et al.,	"	971
Clabern Denton et al.,	"	972
Lula Roberson et al.,	"	973
Joseph Hughes et al.,	"	1016
Bonie Sutton et al.,	"	1016.

List of papers forwarded to the Secretary of the
Interior with the record in the above
case, together with the page
occupied by each in
said record.

	Page.
Original application of Emeline Coffey for identification as a Mississippi Choctaw.....	1
Supplemental oral statement of Emeline Coffey.....	6
Third oral statement of Emeline Coffey.....	13
Original application of Jennie Gray for identification as a Mississippi Choctaw.....	18
Original application of John Denton et al., for identification as Mississ- ippi Choctaws.....	21

Original application of Metella Denton for identification as a Mississippi Choctaw.....	25
Original application of Maria Hughes for identification as a Mississippi Choctaw...	28
Original application of Billy Denton et al., for identification as Mississippi Choctaws.....	31
Marriage record between William Denton and Paralee Bell.....	35
Original application of Mary Ann Graves for identification as a Mississippi Choctaw.....	36
Certificate of William F. Bogie, M. D.,...	39
Original application of Claborn Denton et al., for identification as Mississippi Choctaws.....	40
Copy of marriage record between Claybourn Denton and Quenie Wright.....	44
Original application of Grif Denton et al., for identification as Mississippi Choctaws.....	45
Copy of marriage record between Grif Denton and Annie Cox.....	48
Original application of Martie Reed for identification as a Mississippi Choctaw...	50
Original application of Texanna Hickman et al., for identification as Mississippi Choctaws.....	52
Original application of Jane Crisp et al., for identification as Mississippi Choctaws.....	55
Copy of marriage record between Jane Denton and Tobe Crisp.....	58
Original application of Bettie Watkins et al., for identification as Mississ- ippi Choctaws.....	59
Copy of marriage record between John Denton and Annie Hendrix.....	62

Copy of marriage record between Bettie Denton and Robert Watkins.....	63
Original application of Claborn Denton et al., for identification as Mississippi Choctaws.....	64
Copy of marriage record between Claborn Denton and Lula Gunn.....	67
Original application of Lula Roberson et al., for identification as Mississippi Choctaws.....	68
Copy of marriage record between Lula E. Denton and George E. Robinsen.....	71
Original application of Joseph Hughes et al., for identification as Mississippi Choctaws.....	72
Copy of marriage record between Joseph Hughes and Carrie Williams.....	76
Original application of Bonie Sutton et al., for identification as Mississippi Choctaws.....	77
Copy of marriage record between Bennie and Scott Sutton.....	81
Certificate of Dr. George S. Stell.....	82
Final decision of the Commission in the matter of the application of Emeline Coffey et al., for identification as Mississippi Choctaws, refusing such application.....	83.

REFER TO M. C. R. 960

Emeline Coffey
et al

Consolidated Case

mbr 960
 Mary Portale full
 wife
 Caroline Portale full
 mbr 960
 Maline Coffey 80 full
 husband
 First Joe Danton 1/2 negro
 Deceased
 Second Oscar Coffey negro

mbr 961 John Danton 56 1/2 wife Ann Danton 1/2 negro 1/2 white	mbr 971 Ethel Danton 5 " Eugenia Danton 4 " Roy Danton 2
mbr 966 Maria Danton 51 1/2 married John Hughes	mbr 971 Bessie Danton 26 1/4 married Bobby Watkins
	mbr 965 Ella Danton 22 1/4 married since application now Stella Danton in custody of Graham Coffey 2/14/02
	mbr 966 Juana Danton 20 married since application in custody of Graham Coffey 2/14/02
	mbr 966 Joseph Hughes 28 1/4 wife Carrie Hughes negro
	mbr 970 Lula Danton 28 1/4 married George Edward Robinson
	mbr 968 Mary Ann Danton 27 1/4 married Robert J. Evans
mbr 969 Celaborn Danton 48-49 1/2 wife Quennick Danton	mbr 970 Annie Danton 26 - married Chott Sutton
	mbr 969 Hubbard Danton 18 Burt Danton 15 Beatrice Danton 12 Roe Danton 6 Margie Danton 3
	mbr 994 Maudie Reed 26 1/4 husband's name not given
	mbr 990 Eva Danton 18 " Willie Danton 13
mbr 1000 Juana Danton 44 1/4 married James Hickman " Since deceased in custody of Graham Coffey 7/14/02	mbr 1000 Berrie Hickman 14 " Willie Hickman 8
mbr 1002 Irene Danton 40 1/2 married John C. Crip 1/2 negro 1/2 white	mbr 1002 John Henry Crip 20 " Robert J. Crip 18 " Carrie Crip 13 " Ethel May Crip 10 " Jennie Etta Crip 6 " Thompson Crip 2
mbr 967 Billy Danton 34 1/2 wife Caroline Danton	mbr 967 Marie Danton 9 " illegitimate child mother Maggie Langford " Enola Danton 6

mbr 960
 male Coffey 80 full
 husband
 First Joe Dinton 1/2 negro
 Dead
 Second Oscar Coffey negro

Mary Dintale full
 wife
 Caroline Dintale 7/11

mbr 964
 Clarence Dinton 48-49 1/2
 wife
 Ruthie Dinton

mbr 970
 Grif Dinton 41 1/2
 wife
 Annie Dinton

mbr 1000
 * Juanna Dinton 41 1/2
 married
 James Hickman
 * Since deceased see testimony of
 Emily Coffey 7/14/02

mbr 1002
 Jane Dinton 40 1/2
 married
 Jobe Corrip 1/2 negro dead

mbr 967
 Billy Dinton 37 1/2
 wife
 Paralee Dinton

mbr 963
 * Jennie Coffey 26 1/2
 married
 Nelson Gray
 * Since deceased see testimony
 of Emily Coffey 7/14/02

married
 George Edward Robertson
 Emma sister Robertson 3
 Norma Jay Robertson 7 1/2

mbr 968
 Mary Ann Dinton 27 1/2
 married
 Robert J. Graves
 one child ~~born~~ male, born since
 application, testimony of Emily Coffey
 2/14/02

mbr 1015
 Bonnie Dinton 26
 married
 Scott Sutton
 mbr 1010
 Maggie L. Sutton 3
 " Burkley Sutton 6 m
 one child born since application
 testimony of Emily Coffey 2/14/02

mbr 969
 Hubbard Dinton 18
 " Burt Dinton 15
 " Beatrice Dinton 12
 " Roe Dinton 6
 " Margie Dinton 3

mbr 999
 Maydie Reed 26 1/2
 husband
 name not given
 mbr 990
 Eva Dinton 18
 " Willie Dinton 13
 married - since deceased application, mother of one child name Phillip
 testimony of Emily Coffey 2/14/02

mbr 1000
 Recie Hickman 18
 " Willie Hickman 8

mbr 1002
 John Henry Corrip 20 married since application name
 " Robert J. Corrip 18
 " Carrie Corrip 13
 " Callie May Corrip 10
 " Jennie Ella Corrip 6 "Sennella"
 " Thompson Corrip 2

mbr 967
 Rosie Dinton 9
 * illegitimate child
 mother Maggie Langford
 " Enola Dinton 6

Miss. Choctaw
960 and 970

Muskogee, Indian Territory, March 28, 1902.

Griff Denton,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty fifth instant, asking if Emeline Coffee and Griff Denton are on the rolls.

In reply to your letter you are informed that it appears from our records that Emeline Coffee and Griff Denton are applicants to the Commission for identification as Mississippi Choctaws, and that no decision has yet been reached nor opinion rendered relative to their rights as Mississippi Choctaws. As soon as a decision is reached you will both be notified of the action of the Commission.

Yours truly,

Commissioner in Charge.

M.C.R. 960

COPY.

Muskogee, Indian Territory, August 30, 1902.

Emeline Coffey,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

R C

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosi Denton, Inola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Sessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(S)

James C. Gandy

Acting Chairman.

Registered.

M.C.R. 960

Muskogee, Indian Territory, August 30, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1016

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 496) which is as follows:

M M & C

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosi Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkle Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James D. [Signature]
Acting Chairman.

M.C.R. 960

Muskogee, Indian Territory, August 30, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Emeline Coffey, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of August 30th, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1016

-2-

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

Tame Dixby.

Acting Chairman.

Through the
Commissioner of Indian Affairs.
1 enclosure.

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON I. AYRESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 960

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 13, 1902.

Emeline Coffey,
Ardmore, Indian Territory.

Dear Madam:

~~Receipt is hereby acknowledged of your letter of the~~
9th instant, in which you ask to be furnished with a copy of the
statement made by you at the time you applied to this Commission
for identification as a Mississippi Choctaw. A copy of the same
is herewith enclosed you.

Yours truly,

Acting Chairman.

Enc. McM--192

D.C. 25320

C O P Y.

J W.H.

DEPARTMENT OF THE INTERIOR.

FHE.

W A S H I N G T O N.

December 18, 1902.

I.T.D. 7567-1902.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

August 30, 1902, you transmitted the record in the consolidated case involving the applications for identification as Mississippi Choctaws of Emeline Coffey (M.C.R. 960), et al., together with your decision of the same date refusing to identify the applicants as such.

Your conclusion was based upon certain reasons which appear in said decision as follows:

"It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Henry Pertate, or Caroline Pertate, or Emeline Coffey, the principal applicant herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stat., 180), and August 23, 1842 (5 Stat., 513)."

In his letter of December 5, 1902 (Land 55811-1902) the Commissioner of Indian Affairs recommended that your action be approved, and in connection therewith stated:

-----2-----

"An examination of the records of this office discloses the fact that the names of Henry and Caroline Pertate are not among the names of those Choctaw Indians who complied with or attempted to comply with the provisions of the 14th article of the treaty of 1830, and neither are there so found the names of any of their descendants, and the office recommends that the finding of the Commission rejecting the parties be approved."

It appears from the record, that the said Emeline Geffey was formerly the wife of one Joe Denton; that her maiden name was Emiline Pertate (Petete), and that she is a full blood Choctaw woman.

When your decision of August 30, 1902, was rendered, you had no criterion by which to identify applicants as Mississippi Choctaws, other than that afforded by compliance on the part of their alleged ancestors with the provisions of article fourteen of the treaty of September 27, 1830, or with the subsequent acts relating thereto.

However, since the ratification of the Choctaw-Chickasaw agreement (52 Stat., 641), it is clear that full-blood Mississippi Choctaw Indians

"Shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, identification as such" by you, as well as applicants who are descendants of fourteenth article patentees. That such was your position relative to this question, was stated in your letter of August 27, 1902 (M.C.R. 3624). Referring therein to section 41 of said agreement, you stated as follows:

"The provision in the pending agreement defines two classes of persons who are entitled to identification as Mississippi Choctaws:

First: Full blood Choctaw Indians, irrespective of any proof of compliance on the part of their ancestors with the provisions of the fourteenth article of the treaty of eighteen hundred and thirty; and

Second: The descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received patents to land under the fourteenth article of the treaty of eighteen hundred and thirty."

Reporting relative thereto September 22, 1902, the Acting Commissioner of Indian Affairs quoted the above paragraphs, concurring in your views as stated in them.

If it is true, as alleged by the principal applicant, that she is a full blood Choctaw, she is evidently entitled to the benefits of said section 41; her claim should therefore be examined and adjudicated in reference thereto.

The other applicants in the case are the descendants in the first, second and third degrees of the said Emeline Coffey, and in the event of her identification as a full blood Mississippi Choctaw, it will be necessary to determine whether they also are thereby entitled to be considered as Mississippi Choctaws.

The case is therefore remanded to you for further consideration and report, in accordance with the suggestions herein contained. You will accordingly notify the applicants that a further opportunity will be afforded them to establish their claims for identification as Mississippi Choctaws, in view of the alleged fact that the principal applicant is a full

RESEARCH

(Signed)

1 inclosure.

COPY.

M C R 960

Muskogee, Indian Territory, March 14, 1903.

Emeline Coffey,
Armore, Indian Territory.

Dear Madam:

There is enclosed herewith one copy of the decision of the Commission granting a continuance of thirty days from March 13, 1903, in the consolidated Mississippi Choctaw case of Emeline Coffey, et al.

Respectfully,

SIGNED *Tame Bixby.*
Chairman.

McM 91

COPY.

M C R 960

Muskogee, Indian Territory, April 29, 1903.

Janie Crisp,
Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 22, 1903, in which you ask to be furnished with a copy of the statements of your mother, Emeline Coffey, made at the time she appeared before the Commission for identification as a Mississippi Choctaw.

Replying to your communication you are advised that it appears from our records that on September 13, 1902, Emeline Coffey was, upon her request, furnished with a copy of her testimony given at the time she applied to this Commission for identification as a Mississippi Choctaw. Your request cannot, therefore, be complied with.

Respectfully,

SIGNED *Tame Bixby.*

Chairman.

Muskogee, Indian Territory, August 22, 1903.

Mansfield, McMurray & Cornish,

South McAlester, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of August 20, asking the present post office address of Emeline Coffey or Pertate, an applicant for identification as a Mississippi Choctaw, and in reply you are advised that her last known post office address as shown by our records is Ardmore, Indian Territory.

Respectfully,

Commissioner in Charge.

COPY.

M C R 960

Muskogee, Indian Territory, May 5, 1903.

Chillion Riley,
Ardmore, Indian Territory.

Dear Sir:

In the matter of the consolidated Mississippi Choctaw case of Emeline Coffey, et al., the record in this case was, on December 18, 1902, remanded by the Department for the further consideration and report of the Commission as to whether or not the applicants were entitled to be identified as Mississippi Choctaws under the provisions of section 41 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902.

There are enclosed herewith copies of the testimony of Emeline Coffey, the letter of the Secretary of the Interior remanding the case and testimony of J. F. Young and John R. Pulliam, taken since this case was remanded.

Your attention is specially invited to that portion of the testimony tending to show that the applicant Emeline Coffey is a full blood Choctaw Indian, and you are requested to procure the testimony of prominent citizens of Ardmore, and, if possible, that of a few citizens by blood of the Choctaw Nation, as to whether or not Emeline Coffey has the appearance of being a full blood Choctaw

O R 2

Indian and as to whether or not she speaks and understands the
Chester language.

In the performance of this duty you will secure the ser-
vices of a stenographer at Ardmore at a compensation not to exceed
three dollars per day, and this and other necessary expenses in-
curred by you herein will be paid by the disbursing Agent of the
Commission upon vouchers properly rendered.

Respectfully,

SIGNED *Tame Bixby.*

Chairman.

COPY.

M.C.R. 960

Muskogee, Indian Territory, October 13, 1903.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of October 8, 1903, in which you state that you have recently been informed of the death of Emeline Coffee, principal applicant in the consolidated Mississippi Choctaw case of Emeline Coffee, et al.

For the purpose of making her death a matter of record, there is enclosed you herewith, a blank form for proof of death which you will please have executed and return to this office as early as possible in the enclosed envelope.

Respectfully,

SIGNED *Tamm Blair*

Chairman.

D.C.
Env.

M C R 960

Muskogee, Indian Territory, November 20, 1903.

S. W. Pearce,

Marietta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter, without date, in which you ask "Will you please inform me as to whether the names of Estella Denton, Clabe Denton & Emiline Coffee, appear on the Rolls as chickasaw or choctaw Indians?"

In reply you are informed that it appears from our records that Emeline Coffey, Stella Denton and Claborn Denton made application to this Commission for identification as Mississippi Choctaws, but up to the present time their rights to such identification have not been finally determined.

Respectfully,

Chairman.

COPY.

M C R 960.

Muskogee, Indian Territory, April 7, 1904.

Henry H. Brown,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

The Commission has been informed of the death of Emeline Coffey, a Mississippi Choctaw applicant, who formerly resided at or near Ardmore, Indian Territory. For the purpose of making her death a matter of record there is herewith enclosed you a blank for proof of death, and if you will kindly have the same executed and return to this office, the favor will be appreciated.

Respectfully,

SIGNED

T. B. Needles

Commissioner in Charge

Env. & D.C.

COPY.

M.C.R.960

Maskogee, Indian Territory, April 20, 1904.

H. H. Brown,
Attorney-at-Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing proof of death of Emeline Coffey, a Mississippi Choctaw applicant, as requested in our letter to you of recent date.

Your prompt attention to this matter is appreciated.

Respectfully,

SIGNED *Tanne Dixey*
Chairman.

Muskogee, Indian Territory, June 20, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of departmental letter of June 8, 1904 (I T D 7587-1902), in which the Commission is requested to transmit to the Department the record in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with recommendations in accordance with departmental letter of December 18, 1902.

In this case the Commission, on August 30, 1902, rendered a decision refusing the application of all the parties enumerated therein for identification as Mississippi Choctaws, which decision, together with the record in the case, was on the same date transmitted to the Department.

The Department with its letter of December 18, 1902, remanded the case for further consideration and report by the Commission and discussed the same in the following language:

"It appears from the record, that the said Emeline Coffey was formerly the wife of one Joe Denton; that her maiden name was Emeline Portate (Potete), and that she is a full blood Choctaw woman.

When your decision of August 30, 1902, was rendered, you had no criterion by which to identify applicants as Mississippi Choctaws, other than that afforded by compliance on the part of their alleged ancestors with the provisions of article fourteen of

the treaty of September 27, 1830, or with the subsequent acts relating thereto.

However, since the ratification of the Choctaw-Chickasaw agreement (32 Stats., 641), it is clear that full-blood Mississippi Choctaw Indians

'shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such' by you, as well as applicants who are descendants of fourteenth article patentees. That such was your position relative to this question, was stated in your letter of August 27, 1902 (M.C.R. 3524). Referring therein to section 41 of said agreement, you stated as follows:

'The provision in the pending agreement defines two classes of persons who are entitled to identification as Mississippi Choctaws:

First: Full blood Choctaw Indians, irrespective of any proof of compliance on the part of their ancestors with the provisions of the fourteenth article of the treaty of eighteen hundred and thirty; and

Second: The descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received patents to land under the fourteenth article of the treaty of eighteen hundred and thirty.'

Reporting relative thereto September 22, 1902, the Acting Commissioner of Indian Affairs quoted the above paragraphs, concurring in your views as stated in them.

If it is true, as alleged by the principal applicant, that she is a full blood Choctaw, she is evidently entitled to the benefits of said section 41; her claim should therefore be examined and adjudicated in reference thereto.

The Commission was directed by departmental letter of December 18, 1902, to notify the applicants that a further opportunity would be afforded them to establish their claims as Mississippi Choctaws in view of the alleged fact that the principal applicant is a full blood Choctaw Indian.

The Commission, in accordance with departmental instruc-

(3)

tions, on January 13, 1903, notified Emeline Coffey at Ardmore, Indian territory, and Messrs. Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian territory, that the Commission would, at its office at Muskogee, Indian territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such witnesses as might be presented and receive for consideration such documentary evidence as was offered tending to show the rights of the several applicants in the consolidated Mississippi Choctaw case of Emeline Coffey, et al. to be identified as Mississippi Choctaws under the 41st section of the Act of Congress approved July 1, 1902 (32 Stats., 641).

On January 31, 1903, Emeline Coffey, in a letter of that date addressed to the Commission, stated that she had been sick and that it was impossible for her to appear before the Commission within the time specified in our letter of January 13, 1903, and asked for an extension of thirty days in which to offer evidence in her case. On February 9, 1903, she was advised that her request had been granted and that she would be allowed until March 13, 1903, in which to appear before the Commission and offer additional evidence in support of her application for identification as a Mississippi Choctaw.

On March 11, 1903, T. D. Taylor, as attorney for Emeline

(4)

Coffey, personally appeared before the Commission at its office at Muskogee, Indian Territory, and filed a motion for a further continuance in this case for a period of thirty days, for the reason that the principal applicant, Emeline Coffey, was then confined to her bed with a serious attack of pneumonia and that it would be impossible for her to appear before the Commission for examination.

The Commission, on March 11, 1903, granted a further continuance in this case until April 13, 1903, notice of this continuance being furnished the principal applicant, Emeline Coffey, at Ardmore, Indian Territory, and her attorney, T. D. Taylor, at South McAlester, Indian Territory.

At the office of the Commission at Muskogee, Indian Territory, on April 13, 1903, J. G. Ralls, of Atoka, Indian Territory, appeared as the attorney of Emeline Coffey and presented the affidavits of J. W. Smith, William T. Bogie and Philip S. Chandler to the effect that Emeline Coffey was at that time confined to her bed; was in a very weak physical and mental condition; and that it would be impossible for her to appear before the Commission at its office at Muskogee, Indian Territory.

There was, however, on April 13, 1903, introduced the testimony of J. F. Young and J. R. Pulliam in which it is attempted to be shown that said Emeline Coffey, the principal applicant, was a full blood Choctaw Indian. At the conclusion of the testimony of

(5)

Young and Pulliam, Mr. Ralls, the attorney for Emeline Coffey, requested a further extension of time in this case for the purpose of having some representative of the Commission visit Ardmore and see the principal applicant, Emeline Coffey, in person.

On May 5, 1903, Chilion Riley, an employe of the Commission, was directed, if possible, to secure the testimony of Emeline Coffey; of prominent citizens of the town of Ardmore; and of citizens by blood of the Choctaw Nation, as to whether or not Emeline Coffey had the appearance of being a full blood Choctaw Indian and as to whether or not she spoke and understood the Choctaw language. Mr. Riley, upon his return to the general office of the Commission at Muskogee, Indian Territory, reported that prior to the receipt by him of the Commission's letter of May 5, 1903, Emeline Coffey had died.

It further appears from the affidavits of Griff Denton, a son of Emeline Coffey, and T. C. Bridgeman, who officiated as the undertaker at her funeral, executed on the 14th day of April, 1904, at Ardmore, Indian Territory, that Emeline Coffey died at Ardmore, Indian Territory, on April 23, 1903.

Apparently, the case was remanded by the Department on December 18, 1902, for the sole purpose of ascertaining whether or not the principal applicant, Emeline Coffey, was a full blood Choctaw woman, inasmuch as the claim of being full blood Choctaws is

(6)

not made by any of the other applicants.

At the time of the personal appearance of Emeline Coffey before the Commission at its office at Muskogee, Indian Territory, on February 14, 1902, the representative of the Commission conducting the examination expressed the following opinion as to the appearance of the applicant:

"The applicant testifies that she is the daughter of full blood Choctaw parents; has the appearance of a person possessed of Indian blood; her features also indicate the possession of white blood."

The applicant was then asked the question: "Do you speak or understand the Choctaw language?", to which she replied: "I have seen the time when I could; I remember the time when I could not speak one word of English." This is the only place in the record wherein reference is made to the appearance of the principal applicant, Emeline Coffey, and is conclusive that she could not speak or understand the Choctaw language and her appearance indicated that she was not a full blood Choctaw Indian.

The witnesses, J. F. Young and J. R. Pulliam, whose testimony was presented on April 13, 1903, were evidently introduced for the purpose of testifying that Emeline Coffey was a full blood Choctaw Indian, but such testimony is of little effect as Young states that he would not positively swear that she is a full blood Choctaw Indian, and Pulliam expresses doubt as to his ability to

(7)

differentiate between a full blood Choctaw Indian and a full blood Indian of any other tribe.

The Commission is of the opinion from the original record and the additional proceedings had in the case, that Emeline Coffey was not a full blood Mississippi Choctaw Indian and entitled to identification as such under the provisions of the 41st section of the Act of Congress approved July 1, 1902 (32 Stats., 641).

It is therefore in conclusion respectfully recommended that the original decision of the Commission of August 30, 1902, be affirmed.

The original record in this case, together with the additional proceedings had since the receipt of departmental letter of December 18, 1902, are transmitted herewith.

Respectfully,

Chairman.

Commissioner.

Commissioner.

Through the Commissioner
of Indian Affairs.

MeM 101

C O P Y

Land.
43906-1904.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, December 9, 1904.

The Honorable,
The Secretary of the Interior.
Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 20, 1904, transmitting the record of the consolidated applications for identification as Mississippi Choctaws by Emeline Coffey for herself; by Jennie Gray for herself; by John Denton for himself and his minor child, Texanna Denton; by Estella Denton for herself; by Maria Hughes for herself; by Billy Denton for himself and his two minor children, Hosie and Enola Denton; by Robert T. Graves for his wife, Mary Ann Graves; by Claborn Denton (No. 1) for himself and his five minor children, Hubbard, Burt, Beatrice, Doc and Margie Denton; by Grif Denton and his two minor children, Eva and Willie Denton; by Martie Reed for herself; by Texanna Hickman for herself and her two minor children, Bessie and Willie Hickman; by Jane Crisp for herself and her six minor children, John Henry, Robert S., Carrie, Sallie May, Jinnie Etta and Sampson Crisp; by Bettie Watkins for herself and her three minor children, Richard, Willie and Seymour Watkins; by Claborn Denton (No. 2) for himself and his three

minor children, Ethel, Eugenia and Roy Denton; by Lula Roberson for herself and her three minor children, Georgia May, Queen Esther and Norma Fay Roberson; by Joseph Hughes for himself and his minor child, Allene Hughes; and by Scott Sutton for his wife, Benie Sutton, and their two minor children, Maggie L. and Burkley Sutton.

August 30, 1902, the Commission decided adversely to all the applicants.

December 18, 1902, the Department remanded the case for further consideration and report and especially upon the question whether the principal applicant, Eaeline Coffey is a full-blood Choctaw Indian.

June 20, 1904, the Commission affirmed its decision of August 30, 1902.

The record shows that all of the applicants claim rights in the Choctaw lands under article 14 of the treaty of Dancing Rabbit Creek by reason of being descendants of one Henry Pertate and Caroline Pertate both of whom are alleged to have been full-blood Choctaw, and to have resided in Mississippi in 1830.

It further appears from the record and from the records of this office, that none of said applicants has ever been recognized, enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal.

It does not appear from the testimony and evidence in the record, or from the records of this office, relating to persons who complied or attempted to comply with the provisions of article 14 of the treaty of 1830, and to persons who heretofore were claimants thereunder, that the said Henry Pertate or Caroline Pertate or Emeline Coffey, the principal applicant, signified in person or by proxy to any person an intention to comply with the provisions of said article 14, or presented a claim to rights under the same or subsequent legislation.

The evidence in the record does not show that the principal applicant is a full-blood Choctaw Indian.

It is shown that the applicants, Emeline Coffey died April 23, 1903.

In view of the record, the death of the principal applicant, Emeline Coffey, and of the opinion of the Assistant Attorney General, approved March 8, 1904, in the case of Frank Lewis (I.T.D. 652-1904), the approval of the Commission's decision adverse to all the applicants is recommended.

Very respectfully,

A. C. Tonner
Acting Commissioner.

M.M.M.
W.

D.C. #49227

C O P Y

G.R.

DEPARTMENT OF THE INTERIOR, RJH
Washington.

I.T.D. 7887-1902
& 12442-1904.

December 14, 1904.

L R B

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On August 30, 1902, you transmitted the record in the consolidated application for identification as Mississippi Choctaws, of Emeline Coffey, et al., M. C. R. 960, together with your decision of same date, denying to said applicants the right to be identified as such on the ground that it did not appear that either the applicants' ancestors, Henry Pertate and Caroline Pertate, or the principal applicant, Emeline Coffey (nee Pertate), through whom the applicants claim; complied or attempted to comply with the provisions of article 14 of the treaty of 1830, or became beneficiaries under subsequent legislation passed in pursuance thereof.

But the evidence adduced, having tended to show as claimed, that the principal applicant Emeline Coffey was a Mississippi Choctaw of the full blood, which fact, if true, would have entitled her to identification irrespective of any proof of compliance on the part of her ancestors with the provisions of article 14 of the treaty of 1830, or with subsequent acts relative thereto, the Department by letter of December 12,

1902 (I.T.D. 7587-1902), remanded said consolidated cases to the Commission with instructions to take further testimony with a view to determine whether the principal applicant, Emeline Coffey, was a Mississippi Choctaw of the full-blood.

On April 13, 1903, additional testimony was taken in accordance with said instructions, but before said examination was fully completed, the principal applicant, Emeline Coffey, died on April 23, 1903, at Ardmore, Ind. Ter.

June 20, 1904, the Commission returned said record with the additional testimony taken, reporting that in its opinion the evidence was insufficient to show that Emeline Coffey was a Mississippi Choctaw of the full-blood, and recommended that its original decision of August 30, 1902, be affirmed.

December 9, 1904, the Acting Commissioner of Indian Affairs reported in the matter, and recommended that your decision be concurred in. A copy of his letter is herewith inclosed.

There is no evidence in the record other than the testimony of the principal applicant herself, tending to show that her parents, Henry Pertate and Caroline Pertate, were full-blood Choctaw Indians and residents of the State of Mississippi in 1830, and the principal applicant's own testimony in the three several examinations to which the record shows she was subjected, are so contradictory and at variance with the

-3-

statements made, as to be insufficient, considering the other testimony taken in the case; as to warrant her identification as a Mississippi Choctaw of the full-blood.

Upon a careful review of all of the evidence submitted, the Department concurs in the recommendation of the Acting Commissioner of Indian Affairs, made December 9, 1904, that your decision be affirmed, and your decision is accordingly affirmed.

Respectfully,

THOS RYAN

Acting Secretary.

1 inclosure.

M.C.R. 960

COPY.

Muskogee, Indian Territory, January 4, 1905.

H. H. Brown,
Attorney at Law,
Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission of August 30, 1902, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al.

Respectfully,

Chairman.

M.C.R. 960

COPY.

Muskogee, Indian Territory, January 4, 1905.

J. G. Ralls,
Attorney at Law,
Atoka, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission of August 30, 1902, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al.

Respectfully,
(SIGNED).

Chairman.

M.C.R. 960

COPY.

Muskogee, Indian Territory, January 4, 1905.

T. D. Taylor,
Attorney at Law,
South McAlester, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission of August 30, 1902, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al.

Respectfully,

(SIGNED).

Chairman.

M.O.R. 960

COPY.

Muskogee, Indian Territory, January 4, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,
Gentlemen:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., of which decision you were advised by mail on the 30th day of August, 1902.

Respectfully,
(SIGNED).

James Birney

Chairman.

M C R 960

Muskogee, Indian Territory, April 7, 1905.

Chilion Riley,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, requesting to be advised the status of the Mississippi Choctaw application of Emeline Coffey.

In reply you are informed that on December 14, 1904, the Secretary of the Interior approved the Commission's decision of August 30, 1902, refusing the applications of the several persons included in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., of which departmental action the several applicants were duly notified on January 4, 1905.

Respectfully,

Commissioner in Charge.

COPY.

Muskogee, Indian Territory, January 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

The Department, under date of August 4, 1905 (I T D 6885-1905), transmitted for appropriate action a letter of Albert J. Lee, attorney at law, Ardmore, Indian Territory, of July 20, 1905, enclosing a request for the transfer to the Chickasaw roll by blood of

Betty Ligon, et al.,
Idie Jacobs, et al.,

Lydia Jackson, et al.,
Annie McGee, et al.,

and a motion for a reopening and review of the Mississippi Choctaw case of Emaline Coffee.

On August 19, 1905 (I T D 6885, 7451-1905), the Department advised that it was the intention in its letter of August 1, 1905, to have referred Mr. Lee's letter and the enclosures to this office for report and recommendation.

The request for the transfer of the names of

Betty Ligon, et al.,
Idie Jacobs, et al.,

Lydia Jackson, et al.,
Annie McGee, et al.,

from the roll of Chickasaw freedmen to the roll of citizens by blood of the Chickasaw Nation has been made the subject of separate communications.

(2)

The motion for reopening and review in the matter of the application of Emaline Coffee for identification as a Mississippi Choctaw is presented by Albert J. Lee as attorney for Griff Denton, one of the heirs of Emaline Coffee, deceased, and assigns as a reason therefor that evidence tending to prove that Emaline Coffee was a full blood Choctaw Indian has now been discovered, and as a further reason that affidavits which the Commission to the Five Civilized Tribes directed one Chilion Riley to secure were never taken.

Attached to the motion are the affidavits of William Binks, Tom Davis, Captain John R. Pulliam, J. F. Young and R. G. Shaw alleging that Emaline Coffee was a full blood Choctaw Indian. The motion and affidavits are returned herewith.

Seemingly, the question as to whether or not the applicant Emaline Coffee was a full blood Choctaw Indian was fully disposed of by the Department in its letter of December 14, 1904 (I T D 7587-1902, 12442-1904), affirming the decision of the Commission to the Five Civilized Tribes of August 30, 1902, refusing the application for the identification of Emaline Coffey as a Mississippi Choctaw, wherein the Department stated as follows:

"There is no evidence in the record other than the testimony of the principal applicant herself tending to show that her parents, Henry Pertate and Caroline Pertate, were full blood Choctaw Indians and residents of the State of Mississippi in 1830, and the principal applicant's own testimony in the three several examinations to which the record

(3)

shows she was subjected, are so contradictory and at variance with the statements made, as to be insufficient, considering the other testimony taken in the case, as to warrant her identification as a Mississippi Choctaw of the full blood."

The ex parte affidavits submitted by Mr. Lee are not, in my opinion, sufficient to warrant a reopening and review of the case, and even should such action be taken by the Department I can see no benefit that could result therefrom, as Emeline Coffey died in the latter part of the month of April, 1903, and should she now be identified as a Mississippi Choctaw no allotment could be selected for or made in her name, as the opinion of the Assistant Attorney General for the Department of March 8, 1904, in the case of Frank Lewis, deceased, prohibits the making of proof of removal to and settlement within the Choctaw-Chickasaw country by a representative of a deceased Mississippi Choctaw.

The reference in Mr. Lee's motion to affidavits which the Commission to the Five Civilized Tribes directed Chilion Riley to secure and which were in fact never taken, is immaterial and was fully presented to the Department in the report of the Commission to the Five Civilized Tribes of June 20, 1904, as follows:

"On May 5, 1903, Chilion Riley, an employe of this office, was directed, if possible, to secure the testimony of Emeline Coffey, prominent citizens of the town of Ardmore, Indian Territory, and of citizens by blood of the Choctaw Nation, as to whether or not Emeline Coffey had the appearance of being a full blood Choctaw Indian and as to whether or not she spoke and understood the Choctaw language. Mr. Riley, upon his return to the General Office of the Commission at Muskogee, Indian Territory, reported that prior to the receipt by him of the Commission's letter of May 5, 1903, Emeline Coffey had died."

(4)

As there is nothing apparently to be gained by the further consideration of the motion for reopening and review in this case, I have to respectfully recommend that the same be denied.

Respectfully,

SIGNED *Tame Bixby.*

Commissioner.

Through the Commissioner
of Indian Affairs.

MOK 10/10

(COPY)

Land
4283-1906.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 15, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of August 4, 1905, I.T.D.6835, transmitting to the Commissioner to the Five Civilized Tribes, for proper action, a letter from Albert J. Lee, an attorney at Ardmore, Indian Territory, dated July 20, 1905, enclosing a request for the transfer of Betty Ligon, et al; Icie Jacob, et al; Lydia Jackson, et al, and Annie McGee, et al, to the Chickasaw roll by blood, and a motion for reopening and review of the Mississippi Choctaw case of Emaline Coffee, there is enclosed a report from the Commissioner to the Five Civilized Tribes, dated January 10, 1906, relating to the same subject.

On August 9, 1905, the Department informed the Commissioner to the Five Civilized Tribes that it was the intention, in letter of August 4, 1905, to have referred Mr. Lee's letter and enclosure to him for report and recommendation.

Mr. Bixby says that the request for the transfer of the names of the persons above mentioned, from the Chickasaw freedmen roll to the roll of citizens by blood, has been made the subject of a separate communication; that the motion for the reopening and

review in the application of Emaline Coffee for identification as a Mississippi Choctaw is presented by Albert J. Lee as attorney for Griff Denton, one of the heirs of Emaline Coffee, deceased, who assigns as reason therefor that evidence tending to prove that Emaline Coffee was a full blood Indian has been discovered, and as a further reason, that affidavits which the Commission to the Five Civilized Tribes directed Chilion Riley to secure were never taken.

Attached to the motion are the affidavits of William Binks, Tom Davis, Captain John R. Pulliam, J. E. Young, and R. G. Shaw, alleging that Emaline Coffee was a full blood Choctaw Indian.

Mr. Bixby says that the question as to whether Emaline Coffee was a full blood Choctaw Indian was disposed of by the Department in its letter of December 14, 1904, I.T.D. 7587, affirming the decision of the Commission to the Five Civilized Tribes of August 30, 1902, refusing the application for her identification as a Mississippi Choctaw, and quotes from said letter as follows:

There is no evidence in the record other than the testimony of the principal applicant herself tending to show that her parents, Henry Pertate and Caroline Pertate, were full blood Choctaw Indians and residents of the State of Mississippi in 1830, and the principal applicant's own testimony in the three several examinations to which the record shows she was subjected, are so contradictory and at variance with the statements made, as to be insufficient, considering the other testimony taken in the case, as to warrant her identification as a Mississippi Choctaw of the full blood.

He also says that the affidavits submitted by Mr. Lee are not, in his opinion, sufficient to warrant a reopening and review

of the case, and that should such action be taken by the Department he cannot see that any benefit would result therefrom, as Emaline Coffey died in the latter part of the month of April, 1903, and should she now be identified as a Mississippi Choctaw, no allotment could be selected or made in her name, as the opinion of the Assistant Attorney General, of March 8, 1904, in the case of Frank Lewis, deceased, prohibits the making of proof of removal to and settlement within the Choctaw and Chickasaw country by a representative of a deceased Mississippi Choctaw.

With reference to what is said by Mr. Lee concerning the direction of the Commission to the Five Civilized Tribes to Chilion Riley to secure certain affidavits, Mr. Bixby quotes from report of June 20, 1904 of the Commission to the Five Civilized Tribes, as follows:

On May 5, 1903, Chilion Riley, an employe of this office was directed, if possible, to secure the testimony of Emeline Coffey, prominent citizens of the town of Ardmore, Indian Territory, and of citizens by blood of the Choctaw Nation, as to whether or not Emeline Coffey had the appearance of being a full blood Choctaw Indian and as to whether or not she spoke and understood the Choctaw language. Mr. Riley, upon his return to the General Office of the Commission at Muskogee, Indian Territory, reported that prior to the receipt by him of the Commission's letter of May 5, 1903, Emeline Coffey had died.

He recommends that the motion for reopening and review in the case be denied.

As Emaline Coffey died during the month of April, 1903, even if she were now identified as a Mississippi Choctaw, an allot-

-4-

ment could not be selected for her by a representative.

This question is fully covered in the opinion of the Assistant Attorney General in the Frank Lewis case, and the Office concurs in the recommendation of the Commissioner to the Five Civilized Tribes that the application be denied.

Very respectfully,

G. F. Larrabee,

Acting Commissioner.

GAW-GH.

D.C. 10113-1906. DEPARTMENT OF THE INTERIOR, LLB G.R.
I.T.D. 2776, 3962-1906.
L.R.S. WASHINGTON.

March 10, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

January 10, 1906, you transmitted a motion for reopening and review, filed in the matter of the application for identification as Mississippi Choctaws of Emaline Coffey, et al., M.C.R. 960, with your report and recommendation that said motion for a reopening be denied.

February 15, 1906, the Acting Commissioner of Indian Affairs reporting thereon, concurred in your recommendation that said motion for reopening be denied. A copy of his letter is inclosed.

The Department concurs in the recommendation made, and the motion for reopening is hereby denied, and the Department adheres to its decision of December 14, 1904 (I.T.D.12442), affirming the decision of the Commission to the Five Civilized Tribes dated August 30, 1902, denying the application for identification as Mississippi Choctaws of Emaline Coffey et al., M.C.R.960.

You will so advise Albert J. Lee, Esq., of Ardmore, Ind. T., attorney for moving party herein.

Respectfully,

Thos. Ryan,

First Assistant Secretary.

1 inclosure.

COPY.

MCR 960

Muskegee, Indian Territory, March 21, 1906.

Albert J. Lee,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

There is transmitted herewith for your information, copy of Departmental letter of March 10, 1906 (I.T.D. 2776, 3962-1906) accompanied by the report of the Acting Commissioner of Indian Affairs of February 15, 1906 (Land 4283-1906), denying a motion for reopening and review filed with the Department in the Mississippi Choctaw case of Eaeline Coffey.

Respectfully,

SIGNED *Wm. O. Deall*

OP 21-1

Acting Commissioner.

COPY.

MCR 960

Muskogee, Indian Territory, March 21, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

There is transmitted herewith for your information, copy of Departmental letter of March 10, 1906 (I.T.D. 2776, 3962-1906), accompanied by the report of the Acting Commissioner of Indian Affairs of February 15, 1906 (Land 4283-1906), denying a motion for reopening and review filed with the Department in the Mississippi Choctaw case of Melina Coffey.

Respectfully,

SIGNED

Wm. C. Doherty

OP 21-2

Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

G.R.

LLB

D.C. 20762-1906.
I.T.D. 12442-1904.
2776-1906.
3962- "
5337- "

May 23, 1906.

L.R.S.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Upon reconsideration, in view of section 21 of the act of Congress approved April 26, 1906 (Public No. 129), providing

"That heirs of deceased Mississippi Choctaws who died before making proof of removal to and settlement in the Choctaw country and within the period prescribed by law for making such proof may within sixty days from the passage of this Act appear before the Commissioner to the Five Civilized Tribes and make such proof as would be required if made by such deceased Mississippi Choctaws; and the decision of the Commissioner to the Five Civilized Tribes shall be final therein, and no appeal therefrom shall be allowed,"

the departmental action of March 10, 1906 (I.T.D. 2776, 3962), denying a motion for a reopening of the Mississippi Choctaw case of Emaline Coffey et al., M.C.R. 960, is hereby rescinded, as said denial was based principally upon the ground that Emaline Coffey died during the month of April, 1903, and that even if she were identified as a Mississippi Choctaw under the then existing law, no allotment could be selected for her by her heirs or representative in view

-2-

of the approved opinion of the Assistant Attorney-General for this Department of March 3, 1904 (I.T.D. 652), in the Mississippi Choctaw case of Frank Lewis, deceased, and that the granting of said motion for a reopening would avail nothing.

As the evidence submitted upon the motion for a reopening makes doubtful whether Emaline Coffey, now deceased, was a full-blood Mississippi Choctaw, and in view of the fact that her heirs would be permitted in case of her identification, to make proof of her removal to and settlement within the Choctaw-Chickasaw country prior to her death, in April, 1903, a rehearing on the merits is hereby granted therein.

The record will be returned to you by the Indian Office.

You will advise A. J. Lee, Esq., of Ardmore, Ind. T., of the time fixed for rehearing in the matter.

Respectfully,

Jesse E. Wilson

Assistant Secretary.

M C R 960

Muskogee, Indian Territory, May 29, 1906.

Albert J. Lee,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

In accordance with the instructions contained in Departmental letter of May 23, 1906, copy of which is herewith enclosed, you are hereby notified that the Commissioner to the Five Civilized Tribes will, at his office at Muskogee, Indian Territory, Saturday, June 9, 1906, at nine o'clock A. M., hear the testimony of such witnesses as you may present tending to show that Emaline Coffey, a deceased Mississippi Choctaw, principal applicant in M C R 960, was a full blood Choctaw Indian.

Respectfully,

Acting Commissioner.

Registered.

McM29/4

M C R 960

Muskogee, Indian Territory, May 29, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

In accordance with the instructions contained in Departmental letter of May 23, 1906, copy of which is herewith enclosed, you are hereby notified that the Commissioner to the Five Civilized Tribes will, at his office at Muskogee, Indian Territory, Saturday, June 9, 1906, at nine o'clock A. M. hear testimony of such witnesses as may be presented tending to show that Emaline Coffey, a deceased Mississippi Choctaw, principal applicant in M C R 960, was a full blood Choctaw Indian.

Respectfully,

Acting Commissioner.

Registered.

McM 29/ 3

COPY.

Muskogee, Indian Territory, June 14, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

August 30, 1902 the Commission to the Five Civilized Tribes transmitted to the Department the record in the consolidated application for identification as Mississippi Choctaws of Emaline Coffey et al., together with the decision of said Commission of same date, denying the applicants the right to be so identified.

The Department on December 18, 1902 (I.T.D. 7537-1902) returned to the Commission to the Five Civilized Tribes for further consideration and report the record in the case, with instructions to ascertain and determine if the principal applicant, Emaline Coffey, was a full-blood Choctaw, and if by reason thereof the other applicants who are her descendants in the first, second and third degree were entitled to be considered as Mississippi Choctaws under the provisions of Section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641). In conformity with the Department's instructions a further hearing was had in the case by the Commission to the Five Civilized Tribes at Muskogee, Indian Territory April 13, 1903.

June 20, 1904 the record in said case was returned to the Department, with the recommendation that the decision of the

Sec. of Int.----2

Commission of August 30, 1902 be affirmed. The Department on December 14, 1904 (I.T.D. 7587-1902 and 12442-1904) affirmed the decision of the Commission denying the applicants.

March 10, 1906 (I.T.D. 2776-1906 and 3962-1906) the Department denied a motion for reopening and review of said case, filed by Albert J. Lee, Attorney, of Ardmore, Indian Territory.

The Department on May 23, 1906 (I.T.D. 5337-1906), in view of Section 21 of the Act of Congress approved April 26, 1906 (Public No. 129), rescinded its action of March 10, 1906, denying said motion and ordered a rehearing on the merits of the case. The Department stated in its letter of May 23, 1906 that its action of March 10, 1906, denying the motion for reopening of said case

"was based principally upon the ground that Emaline Coffey died during the month of April, 1903, and that even if she were identified as a Mississippi Choctaw under the then existing law no allotment could be selected for her by her heirs or representative, in view of the opinion of the Assistant Attorney General for this Department of March 8, 1904 (I.T.D.-652) in the Mississippi Choctaw case of Frank Lewis, deceased, and that the granting of said motion for a reopening would avail nothing.

As the evidence submitted upon the motion for a reopening makes doubtful whether Emaline Coffey, now deceased, was a full blood Mississippi Choctaw and in view of the fact that her heirs would be permitted, in case of her identification, to make proof of her removal to and settlement within the Choctaw-Chickasaw country prior to her death in April, 1903, a rehearing on the merits is hereby granted therein."

May 29, 1906 this office notified Albert J. Lee, Attorney at Law, Ardmore, Indian Territory, attorney for the

Sec. of Int.-----3

heirs of Maline Coffey, and Messrs. Mansfield, McMurray & Cernish, Attorneys for the Choctaw and Chickasaw Nations, that the Commissioner would at his office at Muskegee, Indian Territory, on Saturday, June 9, 1906 at nine o'clock A. M. hear the testimony of such witnesses as might be presented tending to show that Maline Coffey was a full-blood Mississippi Choctaw Indian.

In accordance with said notices a hearing was had at the office of the Commissioner June 9, 1906, at which time the testimony of Jacob Cooper and John R. Pulliam was submitted.

I now have the honor to respectfully return the record in said case, together with additional proceedings had June 9, 1906.

Section 21 of the Act of Congress approved April 26, 1906 (Public No. 129) provides in part as follows:

"That heirs of deceased Mississippi Choctaws who died before making proof of removal to and settlement in the Choctaw country and within the period prescribed by law for making such proof may within sixty days from the passage of this Act appear before the Commissioner to the Five Civilized Tribes and make such proof as would be required if made by such deceased Mississippi Choctaws; and the decision of the Commissioner to the Five Civilized Tribes shall be final therein, and no appeal therefrom shall be allowed."

In the opinion of the Commissioner the provisions of said section apply only to Mississippi Choctaws who had been so identified previous to their death, and admitting, for the sake

Sec. of Int.-----4

of argument that Enaline Coffey was a full-blood Choctaw, there is nothing in the provisions of said section which would authorize this office to permit her heirs to make proof of settlement in the Choctaw-Chickasaw country.

It was held by the Assistant Attorney General for the Department of the Interior in an approved opinion of March 8, 1904 (I.T.D. 652-1904) in the case of Frank Lewis that the Act of Congress approved July 1, 1902 (32 Stats., 641) did not provide for the making of proof of removal to and settlement within the Choctaw-Chickasaw country by a representative of a deceased Mississippi Choctaw. It was stated in said opinion that the provisions of said act

"seemed to have been framed for the express purpose of excluding from the right of allotment one who died before making such proof."

In the opinion of the Commissioner the provisions of Section 21 of the Act of Congress approved April 26, 1906, above quoted, are remedial in nature, and apply only to those persons who died subsequent to their identification as Mississippi Choctaws and within the time prescribed by law for the making of proof of settlement in the Choctaw-Chickasaw country. The applicant, Enaline Coffey, having died in April, 1903, the Commissioner believes that under the law it is impossible for her heirs to make proof of settlement at this time, even though it should be shown that she was a full-blood Choctaw.

Sec. of Int. -----

Aside from the question of a proper construction of the provisions of Section 21 of the Act of Congress approved April 26, 1906, the record as now presented shows that after ample opportunity had been given the parties interested have failed to show that the applicant, Emaline Coffey, was a full-blood Mississippi Choctaw, or that she complied with Article Fourteen of the Treaty of 1830, or was a descendant of one who complied with said article. At the hearing in this case June 9, 1906, two witnesses, Jacob Cooper and John R. Pulliam, were introduced for the purpose of showing that the applicant was a full-blood Mississippi Choctaw. The witness, John R. Pulliam, testified in this case April 13, 1903. The testimony given by him June 9, 1906 adds nothing material to the testimony given theretofore by him.

The Department in its letter of December 14, 1904 (I.T.D. 7887-1902 and 12442-1904) at which time the testimony of this witness was before the Department stated that

"There is no evidence in the record other than the testimony of the principal applicant herself to show that her parents, Henry Pertate and Caroline Pertate, were full-blood Choctaw Indians and residents of the state of Mississippi in 1830, and the principal applicant's own testimony in the three several examinations to which the record shows she was subjected was so contradictory and at variance with the statements made as to be insufficient, considering the other testimony taken in the case, as to warrant her identification as a Mississippi Choctaw of full-blood."

The witness, Jacob Cooper, appears to have had only a

Sec. of Int.-----6

casual acquaintance with the applicant, Emaline Cooper, knows nothing of her ancestors, and never met the applicant until a few days after he came to the Indian Territory, which he states was December 19, 1902. This witness states that the applicant was a full-blood Choctaw. His testimony shows, however, that his knowledge on this point is based entirely on the physical appearance of the applicant. He admits when examined by the Commissioner that he is unable to distinguish between a full-blood and a seven-eighths blood Choctaw. It would, therefore, seem that the testimony of this witness as an expert is not of sufficient weight to identify the applicant as a full-blood Mississippi Choctaw.

I am, therefore, of the opinion that the decision of the Department of December 14, 1904, approving the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the applicants' right to identification as Mississippi Choctaws should be adhered to, and so recommend.

Very respectfully,

SIGNED *Tame Dixby.*
Commissioner.

Through the Commissioner
of Indian Affairs.

Inc. CM-14-1

M C R 960

Muskogee, Indian Territory, August 22, 1906.

Albert J. Lee,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Replying to that part of your letter of the 10th instant relative to the Mississippi Choctaw case of Emaline Coffey, et al., you are advised that the additional proceedings had in this matter on June 9, 1906, were transmitted to the Department June 14, 1906.

When the Department passes upon this case and so informs this office, you will be notified of the action taken.

Respectfully,

Commissioner.

To be kept in
records of Emeline
Coffey case - not a
part thereof however.

151

DEPARTMENT OF THE INTERIOR, LLB
WASHINGTON.

I.T.D.10807-1906.

September 8, 1906.

W.B.
Albert J. Lee,
Ardmore, Ind. T.

Sir:

Answering your letter of August 22, 1906, relative to the Mississippi Choctaw case of Emaline Coffee, and requesting, for reasons stated, that you be furnished with a copy of the report of the Commissioner to the Five Civilized Tribes of recent date in the matter, you are advised that such report does not appear to have been received. It is not the practice of the Department to furnish copies of such papers, but it knows of no objection to your having someone make a copy of the report when it is received by the Department. It also knows of no reason why the Commissioner has refused to allow you to inspect the office copy of the report, if one has been made.

Respectfully,

James E. Wilson
Assistant Secretary.

COPY.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Land
78784-1905.
52432-1906.

Washington.

September 26, 1906.

The Honorable,

The Secretary of the Interior.

Sir:--

On August 30, 1902, there was transmitted to the Department the record in the consolidated application for identification as Mississippi Choctaws of Emaline Coffey et al, together with the decision of the Commission to the Five Civilized Tribes, and the recommendation of this Office denying the applicants the right to be so identified.

The Department on December 18, 1902, (I.T.D. 7587-1902), returned to the Commission to the Five Civilized Tribes for further consideration and report the record in the case, with instructions to ascertain and determine if the principal applicant, Emaline Coffey, was a full blood Choctaw, and if by reason thereof the other applicants who are her descendants in the first, second, and third degree, were entitled to be considered as Mississippi Choctaws under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

In conformity with the Department's instructions, a further hearing was had in the case by the Commission to the Five

Civilized Tribes at Muskogee, Indian Territory, April 13, 1903. On June 20, 1904, the record in the above entitled case was returned to the Department with the recommendation that the decision of the Commission of August 30, 1902, be affirmed. The Department on December 14, 1904, (I. T. D. 7578-1902 and 12442-1904), affirmed the decision of the Commission denying the applicants.

March 10, 1906, (I. T. D. 2776-1906 and 3962-1906), the Department denied a motion for re-opening and review of the case filed by Albert J. Lee, an attorney of Ardmore, Indian Territory. The Department on May 23, 1906, (I. T. D. 5337-1906), in view of Section 21 of the Act of Congress approved April 26, 1906, Public No. 129, rescinded its action of March 10, 1906, denying the motion for re-opening and review, and ordered a rehearing on the merits of the case.

The Department said in its letter of May 23, 1906, that its action of March 10, 1906, denying the motion for re-opening of said case

was based principally upon the ground that Emaline Coffey died during the month of April, 1903, and that even if she were identified as a Mississippi Choctaw under the then existing law no allotment could be selected for her by her heirs or representative, in view of the opinion of the Assistant Attorney General for this Department of March 8, 1904 (I.T.D.-652) in the Mississippi Choctaw case of Frank Lewis, deceased, and that the granting of said motion for a reopening would avail nothing.

As the evidence submitted upon the motion for a reopening makes doubtful whether Emaline Coffey, now deceased, was a full blood Mississippi Choctaw and

in view of the fact that her heirs would be permitted, in case of her identification, to make proof of her removal to and settlement within the Choctaw-Chickasaw country prior to her death in April 1903, a rehearing on the merits is hereby granted therein.

May 29, 1906, Albert J. Lee attorney for the heirs of Emaline Coffey, and Mansfield, McMurray & Corrish, attorneys for the Choctaw and Chickasaw Nations, were notified that the Commissioner to the Five Civilized Tribes would, at his office at Muskogee, on Saturday June 9, 1906, hear the testimony of such witnesses as might be presented, tending to show that Emaline Coffey was a full blood Mississippi Choctaw Indian.

In accordance with that notice a hearing was had at the office of the Commissioner to the Five Civilized Tribes June 9, 1906, at which time the testimony of Jacob Cooper and John R. Pulliam was submitted. I now have the honor to transmit herewith the record in this case, together with additional proceedings had June 9, 1906.

Section 21 of the Act of Congress approved April 26, 1906, Public No. 129, provides in part as follows:

That heirs of deceased Mississippi Choctaws who died before making proof of removal to and settlement in the Choctaw country and within the period prescribed by law for making such proof may within sixty days from the passage of this Act appear before the Commissioner to the Five Civilized Tribes and make such proof as would be required if made by such deceased Mississippi Choctaws; and the decision of the Commissioner to the Five Civilized Tribes shall be final therein, and no appeal therefrom shall be allowed,

It is the opinion of the Commissioner to the Five Civilized

Tribes that the provisions of Section 21 of the Act of Congress approved April 26, 1906, above quoted are remedial in their nature, and apply only to those persons who died subsequent to their identification as Mississippi-Chootaws, and within the time prescribed by law for the making of proof of settlement in the Chootaw-Chickasaw country. The applicant, Emaline Coffey, having died in April, 1903, the Commissioner to the Five Civilized Tribes believes that under the law it is impossible for her heirs to make proof of settlement at this time even though it could be shown that she was a full blood Chootaw.

Aside from the question of a proper construction of the provisions of Section 21 of the Act of Congress approved April 26, 1906, the record as now presented shows that after ample opportunity had been given the parties interested have failed to show that the applicant, Emaline Coffey, was a full blood Mississippi Chootaw, or that she complied with Article 14 of the Treaty of 1830, or was a descendant of one who complied with that article.

At the hearing in this case June 9, 1906, two witnesses, Jacob Cooper and John R. Pulliam, were introduced for the purpose of showing that the applicant was a full blood Mississippi Chootaw. The witness, John R. Pulliam, testified in this case April 13, 1903. The testimony given by him June 9, 1906, adds nothing material to that given previously by him.

The witness, Jacob Cooper, appears to have had only a casual acquaintance with the applicant, Emaline Coffey, knows

nothing of her ancestors, and never met the applicant until a few days after he came to the Indian Territory, which he says was December 19, 1902. This witness says that the applicant was a full blood Choctaw, but his testimony show that his knowledge on this point is based entirely on the physical appearance of the applicant. He admits when examined by the Commissioner to the Five Civilized Tribes that he is unable to distinguish between a full blood and a seven-eighths blood Choctaw. It would, therefore, appear that the testimony of this witness as a expert is not of sufficient weight to identify the applicant as a full blood Mississippi Choctaw.

In view of the fact that the new testimony introduced is not sufficient to change the merits of the case, this Office concurs in the recommendation of Commissioner Bixby that the Department adhere to its decision of December 14, 1904, approving the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the right of the applicants to identification as Mississippi Choctaws.

Very respectfully,

C. F. Larrabee.

Acting Commissioner.

EBM-KEN.

G. R.

DEPARTMENT OF THE INTERIOR, LLB
WASHINGTON.

I. T. D. 12442-1904.

October 17, 1906.

2776-1906.

3962- "

18906- "

D. C. 46587.

Y. P.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

June 14, 1906, you transmitted the remanded record in the consolidated application for the identification of Emaline Coffey et al., W. C. R. 960, as Mississippi Choctaws.

In accordance with the recommendation of the Acting Commissioner of Indian Affairs of September 26, 1906 (Land 52432), the Department adheres to its decision of December 14, 1904 (I.T.D. 12442), affirming the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws. A copy of his letter is inclosed.

The record has this day been returned for the files of the Indian Office.

Respectfully,

Through the Commissioner
of Indian Affairs.

Thos. Ryan
Acting Secretary.

1 inc. and 9 to Ind. Of.

MCR-960.

Muskogee, Indian Territory, October 29, 1906.

Albert J. Lee,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

There is enclosed herewith copy of Departmental letter of October 17, 1906, accompanied by the report of the Acting Commissioner of Indian Affairs of September 26, 1906, in which the Department adheres to its decision of December 14, 1904, affirming the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

WLM.
Encl. 29/1

Commissioner.

MCR-960.

Muskogee, Indian Territory, October 29, 1906.

Mansfield, McMurray and Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

There is enclosed herewith copy of Departmental letter of October 17, 1906, accompanied by the report of the Acting Commissioner of Indian Affairs of September 26, 1906, in which the Department adheres to its decision of December 14, 1904, affirming the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

WLM.
Encl. 29/2

Commissioner.

MCR-960

Muskogee, Indian Territory, October 29, 1906.

Chief Clerk,
Chootaw Land Office,
Atoka, Indian Territory.

Dear Sir:

There is enclosed herewith, for your information,
copy of letter this day addressed to the Chief Clerk of the
Chickasaw Land Office, Ardmore, Indian Territory, relative to
the Mississippi Chootaw case of Emaline Coffey et al.

Respectfully,

WLM.
Encl. 29/3

Commissioner.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

98703

Rec'd of the Commission is
5 Tribes 1 copy of each the
following papers in the case
of Emeline Coffee MC 960

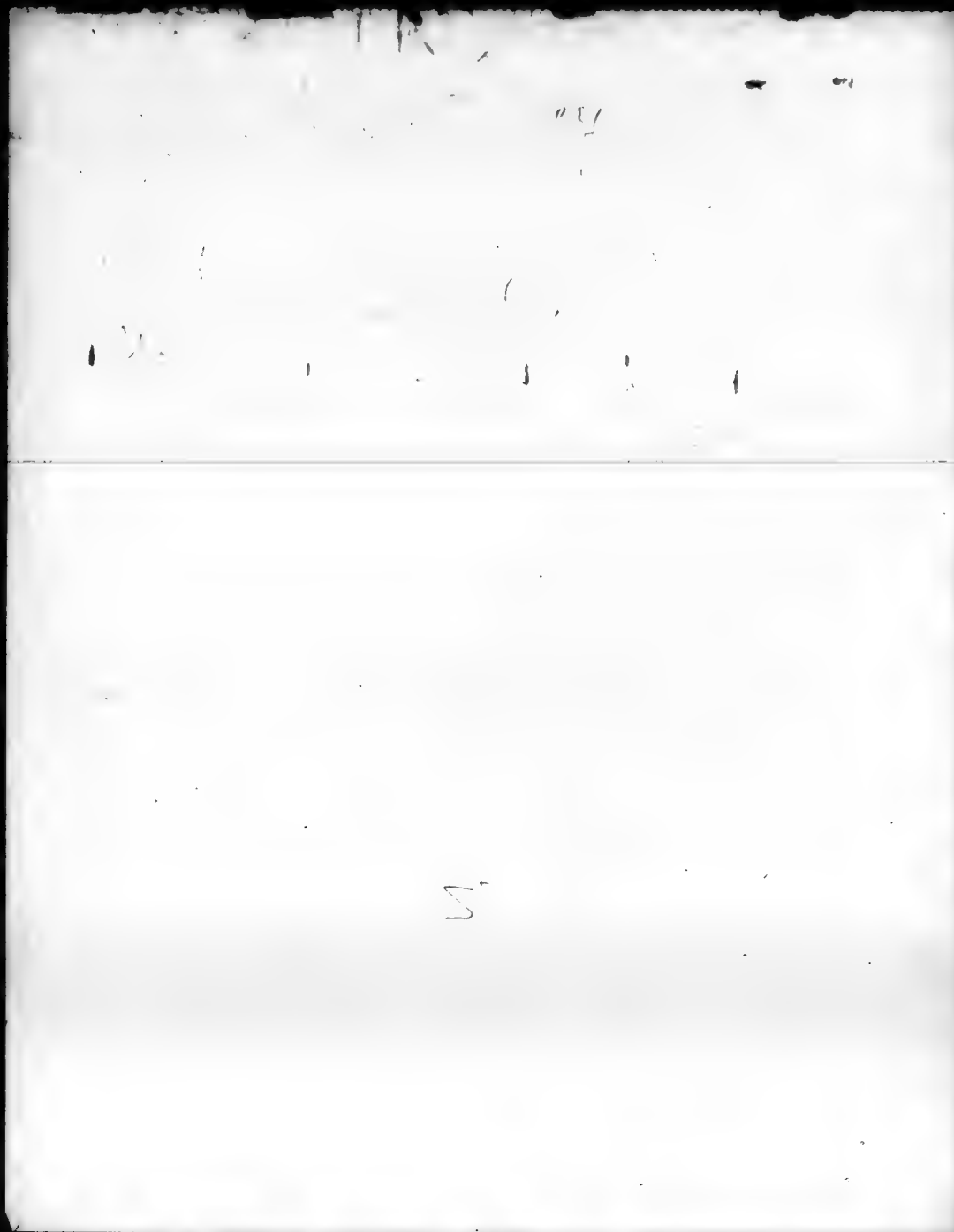
Testimony Oct 25-1900

" 5/14/14-1902

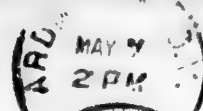
" April 3-1903

Decision of Commission
Aug 30-1902

M. M. Rose
Rosemiller



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Department of the Interior

Commissioner of the Five Civilized Tribes,
Muskogee, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Chilton Riley,

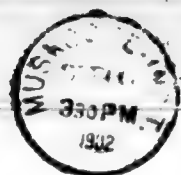
~~Ardmore~~, Indian Territory.

Muskogee

G. H. Dawes Commission

760





Department of the

Commission to the Five Civilized Tribes

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

in line of the,

Arden, Indian Territory.

Choc. MCR 961

Hardy Self

MCR 961

IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

R. 961

Hardy Self

REFUSED.

DECISION RENDERED. APR 15 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 15 1902

RECORD FORWARDED DEPARTMENT.

APR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAY 3 1902

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

MAY 13 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAY 13 1902

REFER TO M. C. R. 226

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

-----2-----

NO. 961.

In the matter of the application for identification as a Mississippi Choctaw of Hardy Self, which he makes on his own behalf. Hardy Self being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Hardy Self.
Q What is your age? A 23.
Q What is your post office address? A Graham, Indian Territory.
Q How long have you lived there? A I have lived there about 4 months.
Q Where did you live before you lived there? A At Orr, I.T.
Q How long have you lived in the Indian Territory?
A Three years.
Q Where did you live before you came to the Indian Territory?
A In Texas.
Q How long in Texas? A About 5 years.
Q Did you ever live in Mississippi? A No sir.
Q What is the name of your father? A Sam Self.
Q Is he living? A Yes sir.
Q What is the name of your mother? A Sarah Self.
Q Living? A Yes sir.
Q You claim to be a Choctaw? A Yes sir.
Q How much blood do you claim? A 1/16.
Q Under which of your parents do you claim your Choctaw blood?
A Father.
Q What was the name of your Mississippi Choctaw ancestor?
A Joe Self.
Q Is the name of your father on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Has he ever been recognized as a citizen of the Choctaw Nation by the tribal authorities of that Nation?
A I do not know.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir, I do not believe it is.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the tribal authorities of that Nation?
A No sir.
Q Did you ever make application to this Commission for enrollment? A No sir, not until this time.
Q This is your first application is it? A Yes sir.
Q You are now applying to the Dawes Commission for identification as a Mississippi Choctaw? A Yes sir.
Q What makes you think that you are a Mississippi Choctaw?
A My father always told me that I was.
Q Do you know from anybody except your father? A No sir.
Q This is a matter of family history, isn't it? A Yes sir.
Q Have you any records of any kind? A No sir.
Q No Bible records? A No sir.

Q What relation was this Mississippi ancestor to you?
 A I don't know, sir.
 Q Under what law do you claim the right now to be identified as a Mississippi Choctaw— do you know anything about the laws? A No sir.
 Q Know anything about the treaty of 1830? A Yes sir.
 Q Or article 14 of that treaty? A Yes sir.
 Q What do you know about it, can you tell? A I do not believe I can.
 Q Do you know anything about the provisions of article 14 of the treaty of 1830? A No sir.
 Q Do you know whether this ancestor under whom you claim the right now to be identified as a Mississippi Choctaw, ever complied with the provisions of the 14 article of the treaty of 1830? A No sir, I do not.
 Q Do you know whether he ever applied for or received any land in Mississippi as a beneficiary under the treaty of 1830?
 A No sir, I do not.
 Q Do you know whether he ever held any land in Mississippi?
 A Not that I know of.
 Q Do you know whether he ever made application to the Indian Agent, who was then acting as Indian Agent at the time that this treaty was made between the United States and the Mississippi Choctaws, making application for land in Mississippi and declaring his intention to remain there instead of going to the Indian Territory, and did so within 6 months after the ratification of the treaty? A I do not know.
 Q Are you married? A No sir.
 Q Making application for yourself only? A Yes sir.
 Q Have you any written evidence that you would like to submit?
 A Not at present.
 Q Do you wish to file any in the future? A Yes sir.
 Q How much time do you want? A I do not know.
 Q Will 15 days be enough time? A Yes sir.
 Commission: 15 days granted the applicant to file affidavits and other documentary evidence in support of his claim.
 Q Anything further you would like to say? A No sir.
 The decision of the Commission in regard to your application for identification as a Mississippi Choctaw which you make on your own behalf, will be mailed to you at your present post office address in the near future.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and affirmed to before me
 this 14 day of November, 1900.

Kate L. De Bord
Guy L. V. Emerson
 Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Hardy Self for identification
as a Mississippi Choctaw.

DECISION.

The record in this case shows that Hardy Self appeared before the Commission at Muskogee, Indian Territory, October 25th, 1900, and there made application for identification as a Mississippi Choctaw. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Hardy Self as a Choctaw Indian entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for his identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory
this ____ day of _____ 1901.

ACTING CHAIRMAN.

M C R 961

COPY.

Muskogee, Indian Territory, April 15, 1902.

Hardy Self,

Graham, Indian Territory.

Dear Sir-

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tilford H. Self, et al., embracing the following applications for identification as Mississippi Choctaws:

Tilford H. Self, et al.,	M C R	826
Robert Lee Self, et al.,	M C R	959
Hardy Self,	M C R	961
James K. Self,	M C R	476
William A. Self,	M C R	477
Joseph F. Self, et al.,	M C R	2542
Ora Hopkins,	M C R	962
Winnie Lockwood, et al.,	M C R	478

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats. 495), is as follows:

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

H 8 8

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Tilford H. Self, Ida Lee Self, Porter Green Self, Terry Campbell Self, Bertha Isora Self, Edna Alice Self, Clyde Hubbard Self, Jodie Tilford Self, Raymond Neal Self, Robert Lee Self, Robert Leroy Self, Nettie Aurora Self, Cam Self, Hardy Self, James K. Self, William A. Self, Joseph V. Self, Isaac Jefferson Self, Ora Hopkins, Elmer A. Hopkins, Winnie Lockwood and Walter Lockwood, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such, should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Tilford H. Self, for the identification of his wife, Emma Self, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED). *Tamie Dixby.*

Acting Chairman.

Registered.

M.C.R. 961

Muskogee, Indian Territory, May 13, 1902

Hardy Self,

Graham, Indian Territory.

Dear Sir:-

You are hereby advised that on the 3rd day of May, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tilford H. Self, et al., of which decision you were advised by registered mail on the 15th day of April, 1902.

Yours truly,

Acting Chairman

96.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

116 Oct. 25, 1900
Hardy Self - 22
Staham, J. P.

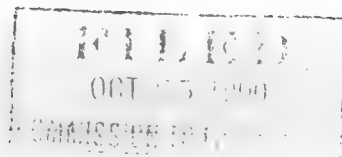
FATHER.

Sam Self. 1

MOTHER.

Sarah Self. 1
Carris under father

CHILDREN



REFUSED.

Hardy Self.

JUDGMENT WRITTEN MARCH 20TH, 1901, H.H.

*Reference to
R35. William to Self et al*

Choc. MCR 962

Ora Hopkins

See MCR 226

MCR 962

REFUSED.

DECISION RENDERED. APR 15 1902

NOTICE OF DECISION MAILED APPLICANT. APR 15 1902

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS. APR 15 1902**

RECORD FORWARDED DEPARTMENT. APR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR. MAY 3 1902

**NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. MAY 14 1902**

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. MAY 14 1902**

REFER TO M. C. R. 226

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 962.

In the matter of the application of Andrew Hopkins in behalf of his wife Ora Hopkins for identification as a Mississippi Choctaw. Andrew Hopkins, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Andrew Hopkins.
Q What is your age? A 30 years old.
Q What is your post office address? A Graham, Indian Territory.
Q How long have you lived in Graham? A About 7 months.
Q Where did you live before you lived in Graham?
A Orr, Indian Territory.
Q Where did you live before that? A In Texas.
Q How long did you live in Texas? A Born and raised in Texas.
Q What is your father's name? A Orlas Hopkins.
Q Living or dead? A He is dead.
Q What is your mother's name? A Patience Hopkins.
Q Living or dead? A Living.
Q How much Choctaw blood do you claim for your mother?
A Claim under my father. I am only making application for my wife.
Q You make no claim for yourself then, and appear for your wife? A Yes sir.
Q Your wife has lived with you has she not during all the time that you have lived in the Indian Territory? A Yes sir.
Q What is the name of her father? A Sam Self.
Q Is he living or dead? A He is living.
Q What is the name of your wife's mother? A Sarah Self.
Q Living or dead? A She is living.
Q Under which of her parents does your wife claim her Choctaw blood? A Under her father.
Q Have you any children? A No sir.
Q Do you know whether her father's name is on any of the Choctaw tribal rolls? A No sir, I do not.
Q Do you know whether he ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation?
A He did about a month ago is all.
Q Only a month ago? A Yes sir.
Q And to the Dawes Commission? A Yes sir.
Q Did he make application as a Mississippi Choctaw? A Yes.
Q Is this the first application that was ever made in behalf of Ora Hopkins for identification as a Mississippi Choctaw?
A Yes sir.
Q Is her name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Has she ever been admitted to citizenship in the Choctaw Nation by the tribal authorities? A No sir.
Q Has she personally made any application before to either the tribal authorities or to the Dawes Commission?
A No sir.
Q This is the first application that has ever been made for her? A Yes sir.

- Q How old is your wife? A 33 years old.
 Q Through whom does she claim her Choctaw blood? A Her father.
 Q What is the name of her ancestor who lived in Mississippi?
 A Joe Self.
 Q How much Choctaw blood does she claim? A 1/16.
 Q Under what treaty or parts of treaties does she claim?
 A Well not any certain treaty.
 Q Under all the treaties? A All the treaties that protect
 Choctaws.
 Q What relation was her Mississippi Choctaw ancestor to her?
 A I cannot tell you.
 Q Do you know whether her Mississippi ancestor ever took
 advantage of the provisions of the treaty of 1830?
 A I do not know.
 Q Do you know whether he ever owned any land in Mississippi
 as a beneficiary under the treaty of 1830?
 A No sir, I do not.
 Q When were you married to Ora Hopkins? A September 17, 1900.
 Q Where were you married to her? A At Orr.
 Q Under what laws? A The Territory laws, Arkansas laws.
 Q Arkansas laws? A I guess so.
 Q Have you your marriage license and certificate with you?
 A Yes sir.
 Q Do you wish to produce it? A Yes sir.
 Q You want to introduce this and make it a part of your ap-
 plication? A Yes sir.
 Marriage license and certificate introduced, marked
 Exhibit A, filed and made a part of the records in this case.
 Q Have you any children? A No sir.
 Q You make this application on the part of your wife? A Yes.
 Q Have you any records that you would like to introduce
 which shows the right of your wife to make application as
 the descendant of a Mississippi Choctaw Indian? A No sir,
 not now.
 Q Have you anything further that you would like to say in
 support of this application? A No sir.

The decision of the Commission with reference to
 this application for identification as a Mississippi Choctaw
 which you make on behalf of your wife, will be mailed to you in
 writing at your present post office address, in the near future.

-----0-----

Kate De Bord, being first duly affirmed, states that
 as stenographer to the Commission to the Five Civilized Tribes
 she reported in full all proceedings had in the above entitled
 cause on the 25th day of October, 1900, and that the above
 and foregoing is a full, true and correct transcript of her
 stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this 14 day of Nov. 1900.

Guy L. Emerson

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Andrew Hopkins for the identification of his wife, Ora Hopkins, as a Mississippi Choctaw.

D E C I S I O N .

The record in this case shows that Andrew Hopkins appeared before the Commission at Muskogee, Indian Territory, October 25th, 1900, and there made application for the identification of his wife, Ora Hopkins, as a Mississippi Choctaw. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ora Hopkins as a Choctaw Indian entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for her identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

ACTING CHAIRMAN.

Dated at Muskogee, Indian Territory

this ____ day of _____ 1901.

Muskogee, Indian Territory, September 23, 1901.

Mr. J. E. Arnold,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 13th, enclosing application for identification as a Mississippi Choctaw of Elmer A. Hopkins, infant son of Andrew J. and Ora Hopkins.

The affidavits of the mother and the physician at the birth of this child have been accepted as evidence of such birth, and this application will be made a part of the original application of Ora Hopkins for identification as a Mississippi Choctaw.

Yours truly,

M.C.962.

M C R 962

OPY.

Muskogee, Indian Territory, April 15, 1902.

Ora Hopkins,

Graham, Indian Territory.

Dear Madam-

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tilford H. Self, et al., embracing the following applications for identification as Mississippi Choctaws:

Tilford H. Self, et al.,	M C R 226
Robert Lee Self, et al.,	M C R 959
Hardy Self,	M C R 961
James K. Self,	M C R 476
William A. Self,	M C R 477
Joseph F. Self, et al.,	M C R 2542
Ora Hopkins,	M C R 962
Winnie Lockwood, et al.,	M C R 478

Said decision, after a review of the evidence submitted, concludes as follows:

'The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats. 495), is as follows:

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

O H 2

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Tilford H. Self, Ida Lee Self, Porter Green Self, Terry Campbell Self, Bertha Izora Self, Edna Alice Self, Clyde Hubbard Self, Jodie Tilford Self, Raymond Neal Self, Robert Lee Self, Robert Leroy Self, Nettie Aurora Self, Cam Self, Hardy Self, James K. Self, William A. Self, Joseph F. Self, Isaac Jefferson Self, Ora Hopkins, Elmer A. Hopkins, Winnie Lockwood and Walter Lockwood, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such, should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted not person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Tilford H. Self, for the identification of his wife, Emma Self, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Acting Chairman.

Registered.

M.C.R. 962

Muskogee, Indian Territory, May 13, 1902.

Ora Hopkins,

Graham, Indian Territory.

Dear Madam:-

You are hereby advised that on the 3rd day of May, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tilford H. Self, et al., of which decision you were advised by registered mail on the 16th day of April, 1902.

Yours truly,

Acting Chairman

962

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Oct. 20, 1900.
Andrew Hopkins. 20
" Abraham. J. P.
Era Hopkins.

FATHER

Ozias Hopkins. d
MOTHER, Patience " I
applied for self - & wife
Jordan by blood
wife's name

Claris' mother father
wife's father

Cam self - I
Sarah self - I
the claris' mother
father -

FILED

OCT 25 1900

MISSISSIPPI CHOCTAW

Choc. MCR 963

Jennie Gray

MCR 963

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 963.

In the matter of the application for identification as a Mississippi Choctaw of Jennie Gray, which she makes in her own behalf. Jennie Gray, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Jennie Gray.
Q What is your age? A 24.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you lived in Ardmore? A About 2 years.
Q Where did you live before that? A Paris Texas.
Q How long? A All my life.
Q Born there? A Yes sir.
Q Under whom do you claim Choctaw blood? A Through my mother.
Q How much do you claim? A 1/2.
Q Was she a full blood? A Yes sir.
Q What is the name of your father? A Oscar Coffey.
Q Is he living or dead? A I don't know whether he is living or not.
Q What is the name of your mother? A Emaline Pertate or Coffey.
Q Is she living? A Yes sir.
Q Is her name on any of the tribal rolls of the Choctaw Nation?
A I do not know, sir.
Q Was she ever recognized as a citizen of the Choctaw Nation by the tribal authorities of that Nation? A I do not know.
Q Did she ever make application for enrollment to the tribal authorities? A Yes sir.
Q When was that? A She was before the Commission.
Q I say to the Choctaw tribal authorities? A I don't know.
Q Did she ever make application to the Dawes Commission for enrollment as a citizen of the Choctaw Nation? A Yes sir.
Q When was that? A In Colbert, two years ago.
Q When was that? A October, 1898. I don't know the day of the month.
Q What was done with her application at that time?
A I don't know, sir.
Q The records show that no action was taken on the application she made at that time. Did you ever make application to the Dawes Commission for enrollment? A No sir.
Q This is your first application that you ever made? A Yes.
Q You are applying now for yourself? A Yes sir.
Q How much Choctaw blood do you claim? A 1/2.
Q You claim it through your mother? A Yes sir.
Q Under what law or treaties do you claim the right now to be identified as a Mississippi Choctaw?
A I do not know anything about the treaties.
Q Did you ever read the treaty of 1830? A No sir.
Q Ever hear it read? A No sir.
Q Ever have it explained to you? A No sir.

- Q You know nothing about the treaty or article 14 of that treaty?
A No sir.
- Q What is the name of your ancestor who lived in Mississippi under whom you now make application for identification as a Mississippi Choctaw? A My mother's mother and father.
- Q Were they both full bloods? A Yes sir.
- Q And living in Mississippi? A Yes sir.
- Q I understood you to say that your mother's father and mother were both full bloods and lived in Mississippi?
A Yes sir.
- Q And did your mother live in Mississippi with them?
A She did awhile.
- Q Did your mother's father and mother live in Mississippi in 1830? A I don't know sir.
- Q How old is your mother? A I don't know how old she is.
- Q You do not know whether your mother's father and mother were living in Mississippi in 1830 or not?
A No sir.
- Q Do you know whether either of them owned land in Mississippi?
A No sir, I do not know that.
- Q Don't you know whether or not they took advantage of the treaty of 1830? A No sir.
- Q Did your mother never tell you anything about whether they ever complied with that treaty? A No sir.
- Q All that you know about it is that your mother is a full blood Choctaw and lived in Mississippi with her parents?
A Yes sir.
- Q And that her parents, both father and mother, were full blood Choctaws and lived in Mississippi? A Yes sir.
- Q Do you know anything about the treaties? A No sir.
- Q And you not know whether they complied in any manner with the treaty of 1830? A No sir.
- Q Your grandfather and grandmother did, I suppose, before you were born? A I suppose so.
- Q Have you any recollection of them? A No sir.
- Q And you have stated now all that she has told you about it?
A Yes sir.
- Q You think there is no question at all but that your mother is a full blood Choctaw Indian and that she lived in Mississippi, and that her father and mother were full bloods?
A Yes sir.
- Q You are unable, however, to state to the Commission positively that the names of either your mother's father or mother were on the Choctaw tribal rolls in Mississippi?
A No sir, I am not able to state.
- Q What is the name of your mother's father, the Indian who lived in Mississippi? A Henry Pertate.
- Q Are you sure that is right? I want you to get this right.
A I think she told me her father's name was Henry Pertate.
- Q What was the name of your mother's mother? A Caroline Pertate.
- Q Have you any other evidence except what your mother has told you? A No sir, I have no other evidence.
- Q And she never told you anything about their complying with the treaty of 1830? A No sir.

- Q Did she ever tell you that they stayed in Mississippi at the time in 1830 when the other Indians came to the Indian Territory? A No sir.
- Q Do you know as a matter of fact that they stayed there at that time? A No sir.
- Q Don't you know whether they ever came to the Indian Territory. A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Nelson Gray.
- Q When and where were you married? A February 1, 1899, Paris, Texas.
- Q Have you any children? A No sir.
- Q You make this application for yourself alone? A Yes sir.
- Q Is there any documents of any kind that you wish to offer in support of your application? A No sir.

Attorney:

Attorney for applicant asks to file written evidence in support of this application within 15 days from this date.

Commission:

Motion of counsel for applicant granted.

- Q Is there anything further that you would like to say in support of your case? A No sir.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing at your present post office address in the near future.

-----o-----

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25 day of October, 1900, and that the above and foregoing is a full, true, and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me

this 14 day of November 1900.

Guy L. Emerson

Notary Public.

M.C.R. 963

COPY.

Muskogee, Indian Territory, August 30, 1908.

Jennie Gray,
Armore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Nickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Reberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1018

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

J G

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosie Denton, Knola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgie May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

Muskogee, Indian Territory, January 13, 1903.

Jennie Gray,

Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

J.Gray---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

COMMISSIONERS:
TAMS REEVE,
THOMAS A. NEEDLES,
C. R. BRACKENRIDGE,
WM. O. SHALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

NOTE IN REPLY TO THE FOLLOWING:

M.C.R. 963

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 4, 1905.

Jennie Gray,
Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,


Chairman.

COPIES IN REPLY TO THE FOLLOWING:

MCR-963

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 29, 1906.

Jennie Gray,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,



Commissioner.

963

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Oct. 25. 1900 -
Jimmie Gray - 24
Admission. I. T.

FATHER

Escar Coffey -

MOTHER

Emeline Perlote -
Clarris under mother
appears for self --

CHILDREN.

FILED

OCT 25 1900

COMMISSION TO FIVE TRIBES.

REFUSED

DECISION RENDERED

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS

AUG 30 1902

RECORD FORWARDED DEPARTMENT

AUG 29 1902

DEMANDED BY THE SECRETARY OF
INTERIOR FOR FURTHER HEARING

DEC 15 1902

RECORD FORWARDED DEPARTMENT

JUN 20 1904

**ACTION APPROVED BY
SECRETARY OF INTERIOR**

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT

JAN 4 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS

JAN 4 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT

JAN 4 1905

REFER TO M. C. R. 960

See his Choo: D. 2.

R. 960

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



963

Jennie Gray,

Ardmore, Indian Territory



Choc - Chic



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

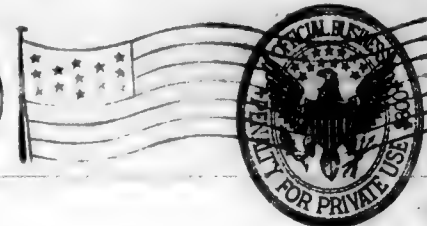
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FEB -9 1905

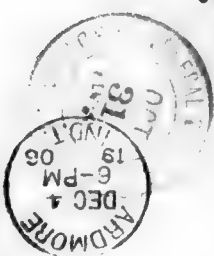
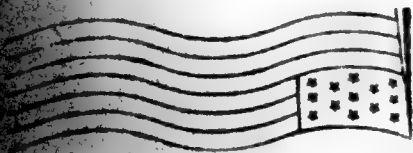
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CHAIRMAN.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



963



Return to Gray,
~~Return to Gray, Ardmore, Ind. Ter.~~
~~Return to Gray, Ardmore, Ind. Ter.~~



DEPARTMENT OF THE INTERIOR.
Commissioner to the Five Civilized Tribes.

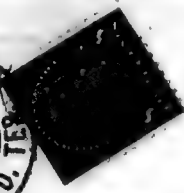
FILED

DEC - 7 1908

A handwritten signature in dark ink, appearing to be "J. H. ...", written over the printed name of the Commissioner.

Commissioner.





Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

Return to writer unclaimed.

Jennie Gray.



453
426

963

1902



Choc. MCR 964

John Denton

MCR 964

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as
Mississippi Choctaws of John Denton and his minor child. John
Denton being duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A John Denton.
Q What is your age? A About 56.
Q What is your post-office address? A Ark.
Q Is that in the Chickasaw Nation? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A
About two years.
Q Where did you live prior to that time? A Texas.
Q How long did you live in Texas? A About thirty or forty
years.
Q Where did you live prior to that? A Middle Tennessee.
Q How long did you live in Tennessee? A Twelve or ten
years.
Q Born there? A Yes sir.
Q Lived there up until the time you moved to Texas? A Yes
sir.
Q And lived in Texas until you moved to the Indian Territory?
A Yes sir.
Q Did you ever live in Mississippi? A Yes sir.
Q When did you live in Mississippi? A I could not tell. I
was born -
Q Didn't you state just now that you were born in Tennessee?
A Yes sir.
Q And lived in Tennessee until you went to Texas? A I lived
in Tennessee and went to Mississippi. I was 12 or 15 years old when
I left Tennessee and came to Texas.
Q When did you live in Mississippi? A Betwixt that time.
Q How long were you there? A About a year or two I reckon.
Q How much Choctaw blood have you? A I claim to be a half
breed.
Q What was your father's name? A Joe Denton.
Q Was Joe Denton a negro? A He was a nigger.
Q Was he a slave? A Yes sir.
Q Was he a slave of a Choctaw Indian? A I don't know what
his master was.
Q Is your father dead? A Yes sir.
Q What is your mother's name? A Emeline Coffee. I call
her by her last name, sir.
Q Is she the identical woman known by the name of Emeline
Pertate? A Yes sir, that is the name she always claims, the
family she come from.
Q Through which one of your parents do you claim your Choctaw
blood? A From my mother.
Q Your mother a Choctaw Indian? A Yes sir, that's what I
have always heard her claim to be.
Q Have you any evidence of the fact that she is a Choctaw
Indian? A No sir, only what I have always heard her claim.
Q Has she any negro blood? A No sir.
Q Was she ever a slave? A No sir.
Q Is your mother's name on any of the tribal rolls of the
Choctaw Nation? A I don't know sir.

John Denton 2

Q Was she ever recognized by the tribal authorities of the Choctaw Nation in the Indian Territory as a citizen of that Nation?

A I don't know, sir.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A I don't know anything about that.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, I haven't.

Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A Well, I don't know now. I can't keep up with the dates. We made application two years ago to the Dawes Commission at Colbert.

Q 1896 would be four years ago. Did you make any application then? A I think that was the first time.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or the authority of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q You stated just now that you had didn't you? A Yes sir.

Q Have you ever prior to this time made application for enrollment? A Yes sir at Colbert.

Q Did you make the application in person? A No sir.

Q Were you there? A Yessir, mother did.

Q Did you go on the stand and testify? A No sir.

Q You made no application then yourself? A No sir, she made it for us.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A Because I think that I am a half breed and have a right to.

Q Do you make your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A I don't know sir, I don't know what you mean by that.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A I don't know, sir.

John Denton 3

Q What is the basis of your claim for identification as a Mississippi Choctaw? A My mother claims to be a full blood and I claim to be a half breed.

Q Did any of your ancestors ever receive or claim any lands in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A None that ever I knew about.

Q Do you make any claim by reason of any other treaty agreement between the United States and the Choctaws? A None that I know of.

Q Are you married? A Yes sir.

Q What is your wife's name? A Ann Denton.

Q Are you making any application for her? A No sir, I didn't come for that purpose.

Q Is she a white woman? A No sir.

Q What is she? A A mulatto.

Q A negro? A One half negro and one half white.

Q How old is she? A 36 or 37.

Q Was she ever a slave? A Yes sir I don't know whether she was a slave or not. she staid with her daddy until they were turned loose.

Q Was she ever a slave? A Her daddy owned her. She was never sold. The white man that she claimed to be her daddy. She was raised up under him until surrender.

Q Have you ever been held in slavery? A No sir.

Q Where did you live at the time of the war? A In Texas.

Q How old is your wife? A About 36 or 37 I don't know her age exactly.

Q Where did you marry her? A Paris, Texas.

Q When? A I could not tell you exactly how long it has been. About two or three years after surrender.

Q Have you your marriage license and certificate? A No sir not with me.

Q Have you any evidence of your marriage? A Yes sir it is in Paris on record I guess.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in the matter of the application for identification of your children. A Yes sir, I can get it.

Q Have you any children under 21 years of age and unmarried?

A One.

Q What is the name of this child? A Texanna Denton.

Q How old is she? A Twenty.

Q Are you the father of this girl? A Yes sir.

Q Ann Denton is the mother? A Yes sir.

Q Has she always lived with you? A Yes sir.

Q Where is she living now? A She is living close there to Ark.

Q Is there any additional statement you desire to make in support of your application? A No sir.

Q Any written evidence that you desire to offer the Commission for its consideration in support of this application? A None that I know of.

attorney

Here ~~applicant~~ for applicant asks leave to file written evidence in support of this application in 15 days from this date.

Permission is granted the applicant to file written evidence in support of this Application provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present-post-office address.

This applicant appears to be a negro.

John Denton 4

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on then 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. V. Emerson
Notary Public.

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,

Montogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of the records in my case that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES TO SIGN:

J. E. Roberson
G. Tippet

John ^{his} Denton
mark

COPY.

Muskogee, Indian Territory, August 30, 1902.

John Denton,
Ark, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

J D

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosi Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

M C R 964

Muskogee, Indian Territory, January 13, 1903.

John Denton,

Ark, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

J.Denton--2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M.C.R: 964

COPY.

Muskogee, Indian Territory, January 4, 1905.

John Denton,

Ark, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your daughter, Texanna Denton, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

18181818

Wm. H. Denton

Chairman.

MCR-964

Muskogee, Indian Territory, October 29, 1906.

John Denton,
Ark, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

964

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

$\frac{1}{2}$. OCT 25 1900
John Denton. 56.
Ark. Ind. Ter.

FATHER: Joe Denton - dead.
MOTHER: Emeline Goffe -
Claims through mother.

WIFE: Ann Denton - 37.
(No claim for wife).

CHILD:
Dexanna Denton 10

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

ACTING CHAIRMAN

Make reference to Mississ-
ippi Choctaw card D L.

REFUSED

DECISION RENDERED

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 15 1902

FORWARDED DEPARTMENT.

**ACTION APPROVED BY
SECRETARY OF INTERIOR:**

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

REFER TO M. C. R. 960.

See also Cho. D. 2.

R. 960.

Choc. MCR 965

Stella Denton

MCR 965

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 965.

In the matter of the application for identification as a Mississippi Choctaw of Estella Denton, which she makes on her own behalf. Estella Denton, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Estella Denton.
Q What is your age? A 35.
Q What is your post office address? A Ark, I. T.
Q How long have you lived at Ark? A Not more than two or three months.
Q Where did you live before you lived at Ark? A Ardmore.
Q How long did you live there? Two or three years.
Q Where before that? A Texas.
Q How long in Texas? A All my life, about 31 years I guess.
Q What is the name of your father? A John Denton.
Q Is he living? A Yes sir.
Q What is your mother's name? A Ann Denton.
Q She living? A Yes sir.
Q Under which one of your parents do you claim your Choctaw blood? A Father.
Q How much do you claim? A 1/4.
Q Is your mother an Indian? A No sir.
Q What is she, white? A No sir she aint white, I dont know what she is.
Q Part colored? A Yes sir.
Q You don't claim anything through her? A No sir.
Q Is the name of your father on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Has he ever been recognized as a citizen of the Choctaw Nation by the tribal authorities of the Choctaw Nation?
A No sir.
Q Has he ever made application for enrollment? A Yes sir.
Q When? A About 2 years ago, I think.
Q Did he make it in person? A I do not know sir, whether he did or not.
Q Where was this application made? A At Colbert, Indian Territory.
Q Do you know what was contained in that application?
A No sir.
Q Did you ever hear that it was not acted upon by the Commission? A No sir.
By the Commission: It was not acted upon by the Commission.
Q Is this the first application that you have ever made in person? A Yes sir.
Q Your name is not upon any of the tribal rolls of the Choctaw Nation? A Yes I reckon so, my father made application for me.
Q I asked you if your name was on the tribal rolls as a citizen of that Nation? A No sir.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Dawes Commission acting under act of June 18, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from either the decision of the tribal authorities of the Choctaw or the decision of the Dawes Commission?
- A No sir.
- Q With the exception of the application that was made in your behalf at Colbert, Indian Territory, in 1898, this is the only application you have ever made to the Dawes Commission is it? A Yes sir.
- Q You now wish to be identified as a Mississippi Choctaw do you?
- A Yes sir.
- Q You claim that your grandmother is a half breed? A My grandmother is a full blood.
- A Your mother a half breed? A My father is.
- Q Do you know the name of your grandmother's mother? A No.
- Q Do you know if they lived in Mississippi? A No sir.
- Q You could not state the name of the ancestor who lived in Mississippi under whom you claim the right now to be identified as a Mississippi Choctaw? A No sir.
- Q Did you ever hear their names? A Not that I know of.
- Q You do not know anything about the treaty of 1830? A No sir.
- Q Or article 14 of that treaty? A No sir.
- Q You have no family records have you at home that will help you in this application that you make? A No sir.
- Q All you know about it is this? that your father is a half blood Choctaw and that your grandmother is a full blood Choctaw? A Yes sir.
- Q Did your father's mother ever live in Mississippi?
- A I heard her say she did.
- Q She is living now? A Yes sir.
- Q Are you married? A No sir.
- Q You are making application simply for yourself? A Yes sir.
- Q Is there anything further that you want to state in support of your application? A No sir.
- Q Do you want to file any affidavits or documents of any kind?
- A No sir.

The decision of the Commission in regard to this application which you make in your own behalf will be mailed to you in writing at your present post office address in the near future.

Estella Denton re-called.

- Q In your testimony you stated that your father had made application for you at Colbert, Indian Territory to the Dawes Commission. The records in that case show that your father, John Denton did not make application for you. Do you know anything about that? A No sir.
- Q Did you suppose that he made application for you at that time? A Yes sir.
- Q The records in that case show that your name does not appear in the testimony which he gives. That being the case this is your first application, is it? A Yes sir.
- Q And you now make application in your own behalf for the first time for identification as a Mississippi Choctaw?
- A Yes sir.

NO. 985 ————— 5 —————

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25 day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me

this 14 day of November 1900.

Guy L. Emerson

Notary Public.

Muskegee, Indian Territory, August 30, 1902.

Estella Denton,
Ark, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choc-taws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

H D

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hovie Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Rita Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Hurkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James D. [Signature]

Acting Chairman.

Registered.

Muskogee, Indian Territory, January 13, 1903.

Estella Denton,

Ark, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of ~~Emeline Coffey~~, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such application all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

Estella Denton---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M.C.R. 965

Muskogee, Indian Territory, January 4, 1905.

Estella Denton,

Ark, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

Tom Birch

Chairman.

MCR-966

Muskogee, Indian Territory, October 29, 1906.

Stella Denton,
Ark, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

965

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Oct. 25, 1900
Stella Denton - 23
Art. I.P.

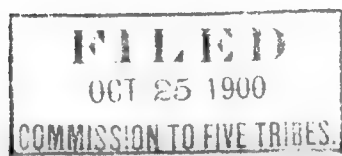
FATHER -

John Denton S.

MOTHER

Ann Denton S.

~~Apples~~ Clavis This
father -



REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT
FOR CHOCTAW AND CHICKSAW NATIONS

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

RECEIVED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 15 1902

RECORD FORWARDED DEPARTMENT.

MAY 29 1904

**ACTION APPROVED BY
SECRETARY OF INTERIOR.**

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKSAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

Mr. Stella
REFER TO M. C. R. 960.

See Jones Choc. D. 2.
R. 960

Choc. MCR 966

Maria Hughes

MCR 966

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 966.

In the matter of the identification of Maria Hughes for identification as a Mississippi Choctaw, which she makes in her own behalf. Maria Hughes, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Maria Hughes.
Q What is your age? 51.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you lived at Ardmore? A 2 years.
Q Where did you live before that? A Paris Texas.
Q How long did you live in Texas? A I cannot tell you, I do not know.
Q About how long? A About 30 years.
Q What is the name of your father? A Joe Denton.
Q What is the name of your mother? A Emaline Pertate or Coffey.
Q She living? A Yes sir.
Q Under which of your parents do you claim your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A 1/2.
Q Was your father a white man? A No sir.
Q What was he? A He was a mixed Creek Indian and darkey.
Q And your mother? A Full blood Choctaw.
Q How long has your mother lived in the Indian Territory? A Two years.
Q Where did she live before? A Paris, Texas.
Q Where was she born, do you know? A Born in Mississippi so she told me.
Q What is her father's name? A Pertate.
Q What is his full name? A I don't know, sir.
Q What was the name of her mother? A I do not remember.
Q Was her father and her mother full bloods? A Yes sir. That is what she has always told me.
Q Do you know anything about it except what your mother has told you? A No sir.
Q Is the name of your mother on any of the Choctaw tribal rolls?
A She appeared before the Commission at Colbert.
Q When? A Two years ago.
Q In 1898? A Yes sir.
Q Was that the first time she had ever made application to the Dawes Commission? A Yes sir.
Q At Colbert in 1898? A Yes sir.
Q Did she ever make application for admission to citizenship to the Choctaw tribal authorities? A I do not know sir.
Q Was she ever recognized as a citizen of the Choctaw Nation by the authorities of that Nation? A I do not know, sir about that.
Q At the time that she appeared at Colbert in 1898 did she appear in order to be identified as a Mississippi Choctaw?
A Yes sir.
Q Do you know what action was taken in that case? A No sir,

I do not know.

Q Do you know that no action was taken in it? A She went before them, I do not know what was done.

Q Did she make application for herself alone at that time?

A For herself and all her children.

Q They are all 31 years of age? A Yes sir.

Q Did she make application at that time for them all? A Yes.

Q Then she must have made application for you? A Yes sir she did.

Q Did you ever hear that that application was not acted upon?

A Never heard that it was and never heard that it was not.

Q The records show that the application made by Emaline Pertate or Coffey, at Colbert, Indian Territory in 1898, was not acted upon by the Commission.

Q This is the first application that you have ever made to the Dawes Commission for identification as a Mississippi Choctaw in person is it not? A Yes sir.

Q And you are now applying for yourself alone?

A Well I have one child and one grand child, but my child is of age and I don't need to say anything about it.

Q Then you make this application for yourself alone?

A Yes sir.

Q Under what laws, or treaty or parts of treaties do you claim the right now to be identified as a Mississippi Choctaw?

A Because I am a half Choctaw.

Q Do you understand anything about the treaties? A No sir.

Q Did you ever hear of the treaty of 1830? A I have heard of it, but I do not know anything about it.

Q You do not know anything about article 14 of the treaty of 1830? A No sir.

Q I did not know but that somebody might have explained article 14 of the treaty of 1830 to you? A No sir, it was not explained.

Q Do you claim to be a Mississippi Choctaw, half blood?

A Yes sir.

Q Your mother's father and mother were both full blood Choctaw Indians and lived in Mississippi? A Yes sir.

Q And they lived there in 1830, did they? A I do not know.

Q Do you know that they lived in Mississippi in 1830?

A They were moved away from Mississippi in 1830.

Q Did her parents bring her away? A She says she got lost from her parents.

Q Do you know your mother's parents started to move to Mississippi and go elsewhere? A She says they were driving them out, and they got lost, when they were driving them out of Mississippi.

Q Do you understand that your mother's father and mother went out then? A I do not know whether they went or then or not.

Q You do not know whether they went or stayed? A No sir.

Q If they did stay in Mississippi do you know whether or not they received land there as beneficiaries under the treaty of 1830? A No sir, I do not know.

Q Do you know whether they ever held land there at all?

A No sir.

Q Did your mother used to live in Mississippi? A Yes sir.

Q And lived with her father and mother? A Yes sir.

Q She left Mississippi and went where? A Tennessee.

Q And from Tennessee to Texas? A Yes sir.

Q And from Texas here? A Yes sir.

Q Do you know anything about the laws, or whether your mothers

father and mother complied with the treaty of 1830? A No sir.
 Q Or article 14 of that treaty? A I do not know anything about that.
 Q Are you married? A Yes sir.
 Q What is your husband's name? A John Hughes.
 Q Is he living? A Yes sir.
 Q Where are you living now? A In Ardmore, Indian Territory.
 Q Are you and your husband living together? A Yes sir.
 Q Have you any unmarried minor children? A No sir.
 Q Are you making this application for yourself alone?
 A Yes sir.
 Q Have you any affidavits or documents of any kind that you want to file now with the Commission and make a part of your application? A No sir.

Attorney:

Here attorney for applicant asks leave to file written evidence within 15 days from this date.

Commission:

Motion granted.

Q Is there anything more that you would like to say about your case? A No sir.

The decision of the Commission in regard to your application for identification as a Mississippi Choctaw which you now make, will be mailed to you in writing at your present post office address in the near future.

—o—

Kate De Bord, being first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
 this 14 day of November 1900.

Guy L. P. Emerson
 Notary Public.

Ardmore, I. T. February 19, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka
Indian Territory, any copies of the records in my case that under
the rule of law the Commission may give out to Attorneys as I
have employed him to assist me in this case.

WITNESSES TO SIGN:

G. E. Robinson

Jane Crisp

Maria ^{her} Hughes
Mack

COPY.

M.C.R. 966

Muskogee, Indian Territory, August 30, 1902.

Maria Hughes,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eaeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Eaeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	968
Elizabeth Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texasia Nickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Robinson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1018

These applications were made under the provisions of the act of Congress of June 25, 1898 (30 Stats., 496) which is as follows:

M H

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hovie Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

Muskogee, Indian Territory, January 13, 1903.

Maria Hughes,

Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Eueline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

M. Hughes---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M C R 966

Muskogee, Indian Territory, November 16, 1904.

Mariah Hughes,

Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter dated September 6, 1904, and received at this office November 8, 1904.

You enclose quit claim deed to certain land in the Chickasaw Nation and ask that no person be allowed to file on said land.

In reply you are informed that the consolidated Mississippi Choctaw case of Emeline Coffey, et al., of which your application is a part, is now before the Department for consideration and pending final action thereon it is not believed that you are in any manner entitled to maintain possession of property belonging to the Choctaw and Chickasaw Tribes.

Your quit claim deed is herewith returned.

Respectfully,

Chairman.

M.C.R. 966

Muskogee, Indian Territory, January 4, 1905.

Maria Hughes,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of *Emeline Coffey et al.*, including you, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

Lame Bixby

Chairman.

MCR-966

Muskogee, Indian Territory, October 29, 1906.

Maria Hughes,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

966

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Oct 25, 1900
Maria Hughes ^{1/2} — 51
Ordmore, L. T.

FATHER

Joe Keaton, d

MOTHER —

Emeline Perlato, L.
Chavis and or mother,

FILED
OCT 25 1900
COMMISSION TO FIVE TRIBES.

REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902
REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING
DEC 18 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

ACTION APPROVED BY
SECRETARY OF INTERIOR.

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

REFER TO M. C. R. 960.

*See files Choctaw D. 2
R. 960*

Choc. MCR 967

Billy Denton

MCR 967

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

—0—

NO. 967.

In the matter of the application for identification as Mississippi Choctaws of Billy Denton, which he makes in his own behalf, and in behalf of his minor child. Billy Denton being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Billy Denton.
Q What is your age? A 37.
Q What is your post office address? A Ardmore, I. T.
Q How long have you lived at Ardmore? A 8 years.
Q Where did you live before that? A Paris, Texas.
Q How long did you live there? A I don't know exactly 12 or 15 years.
Q Did you ever live in Mississippi? A No sir.
Q What is the name of your father? A Jom Denton.
Q He living or dead? A Dead.
Q What is the name of your mother? A Emaline Portate or Coffey.
Q Now Denton? A Yes sir.
Q Is she living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A 1/8 sir.
Q Was your father white? A No sir.
Q What was he? A He was a negro I suppose.
Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A Yes sir, she was at Colbert, I suppose she was enrolled there.
Q She just made application for enrollment, or did she make application for identification as a Mississippi Choctaw, do you know? A I do not understand that exactly.
Q Did she try at that time to become enrolled as a Mississippi Choctaw? A Yes sir.
Q Do you know whether she succeeded or not? A I think so.
Q Do you know? A She did.
Q Did what? A Succeed.
Q Was she enrolled there then? A Yes sir.
Q Don't you know as a matter of fact that she is here today making application? A No sir.
Q What is she here for? A She is here for the purpose of seeing that her children are enrolled.
Q Don't you know as a matter of fact that when she appeared at Colbert that no action was taken on her application?
A No sir.
Q The records show that she did make application for identification as a Mississippi Choctaw in her own behalf, before the Commission at Colbert, Indian Territory in 1898, and that no action was taken on her application.
Did you make application for identification as a Mississippi Choctaw at Colbert at that time? A No sir.
Q This is the first application that you have ever made?
A Yes sir.

- Q Did anyone ever make application for you? A My mother did.
- Q How old are you? A 37.
- Q You would be 35 then two years ago? A Yes sir.
- Q And you undertake to say that your mother made application for you, her son, married and 35 years of age? A Yes sir.
- Q Don't you know that the parent has no authority to make application for the identification of a child who is over 21 years of age and married? A No sir, I did not know it at that time.
- Q Do you know what action was taken by the Commission in your case? A No sir.
- Q You said a little while ago that your mother was enrolled did you not? A Yes sir.
- Q And you say now that at the time when she made application for herself, that she make application for you? A Yes sir.
- Q Why was it that if she was enrolled then that you were not enrolled? A I guess I was enrolled too.
- Q Why then do you appear now? A Well, my understanding was that I would have to appear for myself.
- Q So you were not enrolled? A I didn't want any contest in the business, and I thought I would appear.
- Q Do you think it was necessary if you were enrolled to again appear? A I think it would be necessary to come to prove it.
- Q This is the first time that you have ever come before the Dawes Commission in person and made application for identification as a Mississippi Choctaw, is it? A Yes sir.
- Q You were never admitted to citizenship in the Choctaw Nation by the tribal authorities were you? A No sir.
- Q Were you ever admitted to citizenship by judgment of the United States Court on appeal from the decision of the Choctaw tribal authorities or the decision of the Dawes Commission? A No sir.
- Q What is the name of your ancestor under whom you now claim the right to be identified as a Mississippi Choctaw, who lived in Mississippi in 1830? A I do not know sir, I do not know anything about Mississippi at all.
- Q You claim to be a half breed Choctaw? A Yes sir.
- Q Did you ever live in Mississippi? A No sir.
- Q You claim under your mother? A Yes sir.
- Q Did she ever live in Mississippi? A Yes sir.
- Q How do you know? A That is what she tells me.
- Q Was her father a full blood? A Yes sir.
- Q And her mother? A Yes sir.
- Q How do you know? A Well, she is a full blood herself.
- Q Did she ever tell you anything about their being in Mississippi in 1830? A Yes sir.
- Q Do you know whether they took advantage of the treaty of 1830? A No sir.
- Q Do you know whether they took advantage of article 14 of the treaty of 1830? A No sir.
- Q Do you know anything more about this matter than what your mother has told you? A No sir.
- Q Do you know whether your mother's father or mother's mother ever received land in Mississippi under the treaty of 1830?
- A No sir.

- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Parrielee Denton.
- Q When and where were you married to her? A In Paris, Texas, December 6, 1898.
- Q Have you your marriage license and certificate? A Yes sir.
- Q Wish to offer them in evidence? A I haven't them with me, I have them in Paris, Texas.
- Q Have you any other documentary proofs or affidavits that you desire to file in support of your application?
- Attorney:
- Attorney for applicant asks leave to file documentary evidence and marriage license and certificate within 15 days from this date.
- Commission:
- Motion granted.
- Q Have you any children you wish to make application for?
- A One boy.
- Q What is his name? A Hosie.
- Q Is Parrielee Denton the mother of this child?
- A No sir.
- Q Who is? A Maggie Langford.
- Q Was she your wife? A No sir.
- Q How old is Hosie? A 9 years old.
- Q Is this your child? A Yes sir.
- Q And you were not married to Maggie? A No sir.
- Q Have you a child of which Parrielee Denton is the mother?
- A Yes sir.
- Q What is the name of that child? A Enola.
- Q How old is Enola? A 6.
- Q Girl? A Yes sir.
- Q Is Hosie a girl? A No sir, he is a boy.
- Q Have you any other children? A No sir.
- Q Where is Hosie now? A In Paris, Texas.
- Q With you? A With his aunt.
- Q Do you care for Hosie? A Yes sir.
- Q Support him? A Yes sir.
- Q Does he go to school? A Yes sir.
- Q You provide for Hosie do you? A Yes sir.
- Q But he is not living with you? A Not now.
- Q Since when did he live with you? A Since January.
- Q He is your illegitimate son is he not? A Yes sir.
- Q Where is his mother? A I do not know, sir, where she is.
- Q Does the mother have any care of this child?
- A No sir.
- Q Were you ever appointed guardian of Hosie? A Yes sir, she gave him to me.
- Q She gave the boy to you and you took charge of him? A Yes.
- Q Since when have you had the care of this boy? A 6 years.
- Q Is there anything further that you want to state with reference to your application? A No sir.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws on behalf of yourself and your daughter, Enola, and

No. 967—4—

your illegitimate son, Rosie, will be mailed to you in writing at your present post office address in the near future.

—0—

Kate De Bord, being first duly affirmed, states that as stenographed to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 14 day of November 1900.

Guy L. Emerson
Notary Public.

Ardena, I. T. February 14, 1903.

To the Commission to the Five Civilized Tribes,

Washoe, Indian Territory.

You will please deliver to F. G. Hall, of Atoka,
Indian Territory, any copies of the records in my case that
under the rule of law the Commission may give out to Attorneys, as
I have employed him to assist me in this case.

WITNESSES TO SIGN:

S. M. Long
M. H. Allen

Billie D. Smith

Muskogee, Indian Territory, January 24, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 18, inclosing papers to be filed with the following applications for identification as a Mississippi Choctaw:

967, Billy Denton, et al.

982, Caroline Meeker, et al.

The papers have been filed as requested by you.

Yours truly,

Acting Chairman.

AB

Muskego, Indian Territory, August 30, 1908.

Billy Denton,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Orif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Nickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bemie Sutton, et al.,	"	1018

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

B D

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estel-la Denton, Maria Hughes, Billy Denton, Hovie Denton, Anola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Dee Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Benie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

M C R 967

Muskogee, Indian Territory, January 13, 1903.

Billy Denton,

Ardmore, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

Billy Denton---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll.

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

. Register.

M.C.R.967
M.C.R.969

Muskogee, Indian Territory, May 5, 1904.

Billy Denton,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself and Clave Denton, dated April 22, 1904, enclosing plat of certain lands which you desire reserved from allotment for yourselves and families until your cases are finally disposed of.

In reply to your letter you are informed that it appears from our records that you and your brother, Claborn Denton, made application to this Commission for the identification of yourselves and minor children as Mississippi Choctaws, said applications being consolidated with and made a part of the Mississippi Choctaw case of Emeline Coffey, et al. Up to the present time the rights of the several persons in said consolidated Mississippi Choctaw case have not been finally determined, and it is not believed that you are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations. In view of these facts, no designation of lands of the Choctaw and Chickasaw Nations which you claim as your allotments can be made upon the records of this Commission.

B. D., 2.

The plat enclosed in your letter is herewith returned you.

Respectfully,

Commissioner in Charge.

JYH-36.

M.C.R. 967

COPY.

Muskogee, Indian Territory, January 4, 1905.

Billy Denton,

Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your two children, Enola Denton and Hosie Denton, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

Farns Dixby

Chairman.

MCR-967

Muskogee, Indian Territory, October 29, 1906.

Billy Denton,
Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

967

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

1/2, OCT 25 1900

Billy Venton - 37
Ardenmore, D. T.

Father
Joe Venton - d

Mother
Emeline Venton, d
Clara's first mother.

wife.
Parrielle Venton.

children,
~~Emola~~
Kosie - boy - 9
Emola - girl - 6

FILED
OCT 25 1900
COMMISSION TO FIVE TRIBES.

REFUSED

DECISION RENDERED

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT

AUG 30 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 18 1902

RECORD FORWARDED DEPARTMENT.

JUN 20 1904

**ACTION APPROVED BY
SECRETARY OF INTERIOR.**

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

REFER TO M. C. R. 960.

*See Miss Cho. D. 2.
R 960*

Choc. MCR 968

Mary A. Graves

MCR 968

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application of Robert T. Graves for the identification of his wife, Mary Ann Graves, as a Mississippi Choctaw. Robert T. Graves being duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Robert T. Graves.
Q How old are you? A Twenty.
Q What is your post-office address? A Ardmore, I. T.
Q Do you want to make application for the identification of your wife as a Mississippi Choctaw? A Yes sir.
Q What is her name? A Mary Ann Graves.
Q How old is she? A 24.
Q What is her ~~present~~ post-office address? A Ardmore, I. T. box 581.
Q Where is she? A She is in Ardmore.
Q Why can't she come here? A She is under conditions that she could not come.

offered in evidence the certificate of W. T. Bodice as to the inability of Mary Ann Graves to appear before the Commission. Same is filed and made a part of the record in this case.

Q How long has your wife lived in the Indian Territory? A Two years.
Q Where did she live prior to that time? A Paris, Texas.
Q How long did she live in Texas? A 22 years.
Q Born in Texas? A Yes sir.
Q Lived there all her life until she moved to the Indian Territory? A Yes sir.
Q Did she ever live in Mississippi? A No sir.
Q What is her father's name? A Clayton Denton.
Q Is her father living? A Yes sir.
Q What is your wife's mother's name? A Queenie Denton, she's dead though.
Q She is dead? A Yes sir.
Q Through which one of her parents does she claim her Choctaw blood? A By her father.
Q What was her mother? A Her mother was an American negro.
Q Was she ever a slave? A That I don't know. I think so.
Q Was her father ever a slave? A I think so.
Q Your wife's name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission is examined and the name of the wife of this applicant is not found thereon.

Q Your wife ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Has your wife ever been recognized by any official act of the National Council of the Choctaw Nation as a citizen of that Nation? A No sir.

Robert T. Graves 2

Q Did she or did any one in her behalf make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A I don't think so. No sir.

Record of applications for citizenship in the Choctaw Nation, made to this Commission in 1896 examined and the name of the wife of the applicant does not appear thereon.

Q Any reason to believe an application was made for her then? A I don't think so.

Q How long have you know her? A Two years.

Q Are you competent to testify as to her ancestors? A Yes sir.

Q Know all about her relatives? A I know a great many of her relatives.

Q Do you know any of the material facts as to the residence of her ancestors in the state of Mississippi? A No sir.

Q Did your wife authorize you to make this application for her? A Yes sir.

Q Has any application ever been made prior to this time for her identification as a Mississippi Choctaw? A Yes sir.

Q Is she the party who was known by the name of Mary Ann Denton in the application made by Emeline Pertate at Colbert in the month of October, 1898? A Yes sir.

Q Are you making application now for the identification of your wife as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that she is entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I think she is entitled to be enrolled. Because her grand mother is a full blood, her father a half breed and she is a quarter.

Q Are you making application for her as a Mississippi Choctaw? A Yes sir, as a Mississippi Choctaw.

Q Claiming under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of her ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A No sir.

Q What was the name of your wife's ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A Emeline Pertate.

Q Was Emeline Pertate a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I don't know sir, whether she was in Mississippi recognized as a Mississippi Choctaw or not.

Q Have you any evidence of the fact that Emeline Pertate was ever a recognized member of the Choctaw tribe of Indians? A No sir she wasn't recognized by the Choctaw tribe of Indians not as I know of. I don't think so.

Q When did she leave Mississippi? A I don't know.

Q Did Emeline Pertate or any other of your wife's ancestors through whom she might claim this right to identification, ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I think not.

Q This Commission will require of applicants for identification as Mississippi Choctaws proof showing compliance either by themselves or their ancestors with the provisions of the 14th article of the treaty of 1830. Has your wife any children? A No sir.

Q Just making this application in her own behalf? A Yes sir.

Q Is there any additional statement you want to make in support of this claim? A No sir.

Robert T. Graves 3

Q Is there any written evidence you desire to file in support of this application? A No sir.

Here attorney for applicant asks leave to file written evidence in support of this application in 15 days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission as to the application made by you on behalf of your wife, Mary Ann Graves, for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future to your present post-office address.

Robert T. Graves,
Care Potter & Potter,
Ardmore, Indian Territory.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31 day of October, 1900.

Guilford Emerson
Notary Public.

Ardmore, I. T. January 20, 1903.

To the Commission to the Five Civilized Tribes,

Atsotsee, Indian Territory.

I will please refer to J. J. Mills, of Ardmore, Indian Territory, any copies of the records in my case, that under the rule of law the Commission may give out to attorneys, as I have employed him to assist me in this case.

WITNESSES:

B. J. Grasso

Mary A. Holmes.

IN RE

Application for Enrollment of

INFANT CHILD

Keneth Groves
as a citizen of*Chactaw* Nation.

Approved, 190

Commissioner.

U. S. DEPT. OF THE INTERIOR
COMMISSIONER OF THE BUREAU OF LANDS
FILED

APR 1 1903

CHACTAW

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chactaw Nation,
of Kent Graves, born on the 17 day of September, 1902
(Here insert name of child.)
Name of Father: R. T. Graves, a citizen of the United States Nation.
Name of Mother: Mary Ann Denton Graves, a citizen of the Chactaw Nation.
Post-office, Ordenville 2 T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mary Ann Graves, on oath state that I am 25
years of age and a citizen, by blood, of the Chactaw Nation;
that I am the lawful wife of R. T. Graves, who is a citizen, by
of the United States Nation, that a male child was
(male or female)
born to me on the 17 day of September, 1902; that said child has been
named Kent Graves, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Mary Ann GravesSubscribed and sworn to before me this 24 day of March, 1903.W. D. Talley

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Wm. J. Bogie, a Physician, on oath state that I
attended on Mrs. Mary A. Graves, wife of R. T. Graves
on the 12 day of Sept, 1902; that there was born to her on
said date a Male child; that said child is now living and is said to have been
(male or female)
named Kent Graves.

WITNESSES TO MARK:

(Must be Two Witnesses)

Wm. J. BogieSubscribed and sworn to before me this 24 day of March, 1903.W. D. Talley

NOTARY PUBLIC

IN RE

Application for Enrollment of
INFANT CHILD

Bert Graves
as a citizen of

Chactaw Nation.

Approved,

190

Commissioner.

COMMISSION TO
F. L. D.
APR 1 1903

CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chactaw Nation,
of Bert Graves, born on the 25 day of February, 1901
(Here insert name of child.)
Name of Father: R. T. Graves, a citizen of the United States Nation.
Name of Mother: Mary Ann Denton Graves, a citizen of the Chactaw Nation.
Post-office, Andover 2. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mary Ann Graves, on oath state that I am 25
years of age and a citizen, by blood, of the Chactaw Nation;
that I am the lawful wife of R. T. Graves, who is a citizen, by
, of the United States Nation; that male child was
(male or female)
born to me on the 25 day of February, 1901 that said child has been
named Bert Graves, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Mary Ann Graves.

Subscribed and sworn to before me this 24 day of March, 1903.

W. D. Baker

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Wm. J. Bogie, a Physician, on oath state that I
attended on Mrs. Mary A. Graves, wife of R. T. Graves,
on the 25 day of Feb, 1901 that there was born to her on
said date a male child; that said child is now living and is said to have been
(male or female)
named Bert Graves.

WITNESSES TO MARK:

(Must be Two Witnesses)

Wm. J. Bogie

Subscribed and sworn to before me this 24 day of March, 1903.

W. D. Baker

NOTARY PUBLIC.

Miss. Choctaw R 968

Muskogee, Indian Territory, July 11, 1902.

Potter & Potter,
Attorneys at Law,
Ardmore, Indian Territory,
Gentlemen:

Receipt is hereby acknowledged of your letter of July 2, asking information as to the status of one Mary Ann Graves, formerly Mary Ann Denton, and whether she is listed for enrollment as a Choctaw Indian or Freedman.

In reply to your letter you are advised that it appears from our records that Mary A. Graves, 24 years old, of Ardmore, Indian Territory, daughter of Clayborn and Queenie Denton, is an applicant for identification as a Mississippi Choctaw. No decision has yet been reached nor opinion rendered relative to her rights as such Mississippi Choctaw. As soon as a decision is reached she will be notified of the action of the Commission and of the forwarding of the record in her case to the Secretary of the Interior.

Yours truly,

Acting Chairman.

M.C.R. 968

Muskogee, Indian Territory, August 30, 1902.

Mary A. Graves,
C/o Potter & Potter,
Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estelle Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1010
Bemie Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 22, 1898 (30 Stats., 498) which is as follows:

M A O

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estel-la Denton, Maria Hughes, Billy Denton, Hovie Denton, Knola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Murgie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

M C R 968

Muskogee, Indian Territory, January 13, 1903.

Mary A. Graves,

Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

Mary A. Hughes---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M C R 968

Muskogee, Indian Territory, April 1, 1903.

Mary Ann Graves,

Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 23rd ultimo, received at this office March 26, 1903. Therein you enclose your affidavit and that of the attending physician, Wm. T. Bogle, relative to the birth of your infant child, Bert Graves, February 25, 1901; also your affidavit and that of the attending physician, Wm. T. Bogle, relative to the birth of your infant child, Kent Graves, September 12, 1902.

In reply your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

Under the above legislation the Commission is now without authority to receive the application of any person for identification as a Mississippi Choctaw.

Respectfully,

Chairman.

M C R 968

Muskogee, Indian Territory, October 30, 1903.

Mary A. Graves,
Post Office Box #58,
Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 24th instant, in which you state that you are the grandchild of Emeline Coffey and ask what disposition has been made of your application for identification as a Mississippi Choctaw.

In reply you are informed that it appears from our records that you made application to this Commission for identification as a Mississippi Choctaw, said application being made a part of the consolidated Mississippi Choctaw case of Emeline Coffey, et al., and the Commission has not up to the present time determined the final rights of the applicants in said case to such identification.

Respectfully,

Commissioner in Charge.

COMMISSIONERS:
TAMM BIXBY,
THOMAS S. NEEDLES,
C. E. BRECKINRIDGE.
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 968

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 4, 1905.

Mary Ann Graves,
Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

Chairman.

MCR-968

Muskogee, Indian Territory, October 29, 1906.

Mary A. Graves,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

968

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

OCT 25 1900

Robert T. Graves, makes
application on behalf of his
wife.

NAME: Mary A. Graves. 24.
(Widow, J. T.)

FATHER: Clayton Denton - ✓
MOTHER: Queenie Denton - dead.
Claims through father.

Make reference to Mississ-
ippi Choctaw #10. 5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

 ACTING CHAIRMAN.

Mary A. Green
REFUSED

DECISION RENDERED

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED AT LANDS
FOR CHOCTAW AND CHICKASAW NATION

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

NOTED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 15 1902

RECORD FORWARDED DEPARTMENT.

JUN 1904

ACTION APPROVED BY
SECRETARY OF INTERIOR.

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
MAILED AT LANDS FOR
CHOCTAW AND CHICKASAW NATION

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
MAILED AT LANDS FOR
CHOCTAW AND CHICKASAW NATION

JAN 4 - 1905

REFER TO M. O. R. 76

See Miss Cho D

Department of the Interior
Commission to the Five Civilized Tribes
MUSKOGEE, IND. TERR.

FEB

8

G.D.



MCR
968

Mary Ann Graves,

~~Andover, Indian Territory~~

Calorad Apr 1900
I.O.
Calo.



FILED
FEB 13 1905
COMMISSION TO FIVE TRIBES.

Choc. MCR 969

Claborn Denton

MCR 969

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Claborn Denton and his five minor children.
Claborn Denton being duly sworn by the Commission testified as
follows:

Examination by the Commission.

Q What is your name? A Claborn Denton.
Q What is your age? A I am betwixt 48 and 49 years old.
Q What is your post-office address? A At Ardmore.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A I guess so.
Q Why do you guess about it. Do you know where you live? A
I live in the Chickasaw Nation.
Q How long have you lived in the Indian Territory? A Two
years ago last January.
Q Have you lived here continuously for the last two years?
A Yes sir.
Q Where did you live prior to your residence in the Indian
Territory? A In Texas.
Q How long have you lived in Texas? A Off and on for 20 or
30 years.
Q What do you mean by off and on? A Firstone place and
then another. I lived in the Choctaw Nation a while.
Q When? A Twenty years ago.
Q How long were you there? A Made one or two crops over
there.
Q How did you obtain possession of the land in the Choctaw
Nation 20 years ago. A I didn't get no land.
Q How did you make a crop then? A I was working for wages.
Q Did you make any claim for citizenship in the Choctaw Nation?
A No sir.
Q Where were you born? A Tennessee.
Q How long did you live in Tennessee? A Until I was five
or six years old.
Q And resided in Texas all your life with the exception of the
time you spent in the Choctaw Nation twenty years ago? A Yes sir.
Q And came to the Chickasaw Nation two years ago? A Yes sir.
Q Did you ever live in Mississippi? A No sir. I have been
to Mississippi. I lived there while I was there I worked for a man
seven or eight months.
Q How much Choctaw blood do you claim. A I claim one half.
Q What is your father's name? A Joe Denton.
Q Is your father living? A No sir.
Q Was your father a Choctaw Indian? A No sir.
Q What was he? A He was Creek.
Q A citizen of the Creek Nation? A I don't know, I think he
was Creek and nigger.
Q Had negro blood did he? A Yes sir.
Q Was he ever a slave? A I don't know as he was.
Q Did he come to Texas before the war or after? A I think
he come to Texas during the war.
Q Was he ever held in slavery by any body? A I don't know
sir.
Q Have you ever been held in slavery? A No sir.
Q What is your mother's name? A Eniline pertate was her

Claborn Denton 2

first name. She goes by the name of Emeline Coffee now.

Q Is your mother living? A Yes sir.

Q Is she a Choctaw Indian? A Yes sir.

Q Was your mother's name ever on any of the tribal rolls of the Choctaw Nation? A I don't know sir.

Q Has she ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir you are too hard for me.

Q Have you ever had any information that she was recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A We went to Colbert with her and they wouldn't recognize her then.

Q When? A Two years ago.

Q The Choctaw tribal authorities had no jurisdiction at that time. The right of the Choctaw authorities to admit any one expired September 10th, 1896. Any application ever made for your mother prior to that date? A Not that I know of.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission, is examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their Nation Council as a citizen of the Choctaw Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A Not as I know of.

Q Why are you in doubt about it? A I said not that I know of.

Q Did you authorize any one to make an application for you? A No sir.

Q Have you any reason to suppose any one made an application for you? A Not that I know of.

Q Did you make any yourself? A No sir.

Q Then your answer to my question, did you or any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of June 10th, 1896, would be what? A I never made an application in 1896.

Record of applications for citizenship in ~~the Choctaw Nation~~ the Choctaw Nation made to this Commission in 1896, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of this Commission. A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q Has any application ever been made for you? A No sir.

Q Didn't your mother make application for you at Colbert two years ago this month? A She may have made application for me.

Claborn Denton 3

Q Didn't you have knowledge of the fact that application had been made for you? A Yes sir.

Q Then your answer to that question would be what? A She made it for us.

Q It was made in your behalf wasn't it? A Yes sir. She made it, we never.

Q What do you mean by "we"? A We never made the application.

Q You are making application now for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified as a Choctaw Indian claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I have got the Indian blood in me.

Q You are making application for identification as a Mississippi Choctaw? A Yes sir.

Q Do you claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I don't know, sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A I don't know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, not as I know of.

Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw tribe of Indians? A No sir.

Q Claim alone under the treaty of 1830? A No sir.

Q Are you married? A I have been married. My wife's dead.

Q What was her name? A Queenie Denton.

Q Is your wife living? A No sir, she's dead.

Q Was she a white woman? A No sir she was mixed breed.

Q Negro? A Indian and nigger.

Q Did she ever make any claim to Indian citizenship? A No sir.

Q Why do you say she was mixed breed? A We hardly ever see any full blood niggers now.

Q Was she a citizen of any tribe of Indians in the Indian Territory? A No sir.

Q What kind of Indian did she claim to be? A Choctaw.

Q Did she ever make any claim to the Choctaw authorities for citizenship? A No sir.

Q Was she ever the slave of a Choctaw Indian? A I don't know.

Q What do you know about her rights to citizenship in the Choctaw Nation? A I don't know anything about it only that she was part Indian. She might have been part white folks. I don't know. I know she was mixed breed.

Q Is she the mother of your children? A Yes sir.

Q Does any one hear know about her? A Yes sir.

Q About her citizenship and rights as an Indian? A They don't know anything about that. They have known her from a child.

Q How long did she live in the Choctaw Nation? A She never lived in the Choctaw Nation.

Q Where did she live? A She lived in the Chickasaw Nation. Died in the Chickasaw Nation.

Q Why do you say she was part Choctaw Indian? A They told me so.

Q Was she ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir, not as I know of.

Q How long has she been dead? A She died the 29th day of August, August a year ago.

Q Where did you marry her? A I married her at Paris.

Q When? A I don't know. 1874 I think.

Claborn Denton 4

Q Have you your marriage license and certificate? A Yes sir.

Q Do you desire to offer them in evidence at this time? A Yes sir, if they need to be.

Q Where are they? A They are at home. They are at Paris.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to Queenie Denton in the matter of the identification of your children. What are the names and ages of your children? A Hubbard is the eldest one under 21.

Q How old is Hubbard? A 18 years old.

Q The next one? A Burt.

Q What is that one a girl or boy? A A girl.

Q Is the name Herbert? A I have given you Hubbard. Her name is just Burt.

Q How old is she? A Fifteen.

Q The name of the next one? A Beatrice.

Q How old? A Twelve.

Q The next one? A Doc.

Q How old? A Six.

Q The next one? A Margie.

Q How old is Margie? A Three years old past.

Q Is that all of them? A Yes sir.

Q You are the father of these five children? A Yes sir.

Q Queenie Denton is the mother of all five of them? A All the five of them.

Q Have these children always lived with you at your home? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A No sir.

Q Any written evidence you desire to offer the Commission for its consideration in support of this application?

Here attorney for the applicant asks leave to file written evidence in support of this application in 15 days from the date hereof.

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is filed within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your five minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

This applicant appears to be a negro.

Myra Young having been first duly sworn upon her oath states as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 31st day of October, 1900.

Myra Young
Guy L. Emerson
Notary Public.

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of the records in my case that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES TO MARK:

Mahinda Denton
E. H. Denton

his
Mark Denton
mark

Muskogee, Indian Territory, November 18, 1901.

J. E. Arnold,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 29, inclosing motion of Claborn Denton, an applicant for identification as a Mississippi Choctaw, to have his case re-opened for additional testimony, first in Mississippi and then in the Indian Territory. You also ask that the cases of certain other applicants for identification as Mississippi Choctaws, claiming descent from the same common ancestor, be set for the same day, and that you and the applicants be advised of the date fixed for the hearing of these cases.

Replying to your letter, you are advised that no action has been taken relative to the rights of these applicants as Mississippi Choctaws, and the motion to re-open the case of Claborn Denton is herewith returned to you.

If these applicants desire to offer additional evidence in support of their applications, the Commission will hear the testimony of such witnesses as may present themselves in person at its

J.B.A. 2

office in Muskogee, Indian Territory. If the witnesses are residents of the state of Mississippi, they may be heard at the office of the Commission at Meridian, Mississippi, between January 15, 1901, and February 15, 1901. If it is impossible to secure the personal attendance of witnesses, their depositions will be considered, when taken in accordance with the rules and regulations of the Commission of November 4, 1901, governing the taking of depositions in support of applications for identification as Mississippi Choctaws.

Yours truly,

Acting Chairman.

AB 1-16

M.C.R. 969

Muskogee, Indian Territory, August 30, 1902.

Claborn Denton,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	979
Texanna Hickman, et al.,	"	
Jane Crisp, et al.,	"	
Bettie Watkins, et al.,	"	1000
Claborn Denton, et al.,	"	1002
Lula Rebersen, et al.,	"	971
Joseph Hughes, et al.,	"	972
Benie Sutton, et al.,	"	973
		1016
		1015

These applications were made under the provisions of the act of Congress of June 23, 1898 (30 Stat., 495) which is as follows:

C D

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estela Denton, Maria Hughes, Billy Denton, Hosie Denton, Knola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

Muskogee, Indian Territory, January 13, 1903.

Claborn Denton,

Ardmore, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

C.Denton---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M.C.R.967
M.C.R.969

Muskogee, Indian Territory, May 5, 1904.

Billy Denton,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the joint letter of yourself and Clave Denton, dated April 22, 1904, enclosing plat of certain lands which you desire reserved from allotment for yourselves and families until your cases are finally disposed of.

In reply to your letter you are informed that it appears from our records that you and your brother, Claborn Denton, made application to this Commission for the identification of yourselves and minor children as Mississippi Choctaws, said applications being consolidated with and made a part of the Mississippi Choctaw case of Emeline Coffey, et al. Up to the present time the rights of the several persons in said consolidated Mississippi Choctaw case have not been finally determined, and it is not believed that you are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations. In view of these facts, no designation of lands of the Choctaw and Chickasaw Nations which you claim as your allotments can be made upon the records of this Commission.

B. D., 2.

The plat enclosed in your letter is herewith returned you.

Respectfully,

Commissioner in Charge.

JYM-36.

M.C.R. 969

COPY.

Muskogee, Indian Territory, January 4, 1905.

Claborn Denton,

Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Hubbard Denton, Burt Denton, Beatrice Denton, Dec Denton and Margie Denton, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

SIGNED,

Jesse Bixby

Chairman.

MCR-969

Muskogee, Indian Territory, October 29, 1906.

Claborn Denton,

Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

969

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

$\frac{1}{2}$. OCT 25 1900
Claborn Denton. 48.
Ordmore, S. D.

FATHER: Joseph Denton - dead.

MOTHER: Emeline Pertate - ✓
Claims through mother.

WIFE: Queenie Denton - dead.

CHILDREN:

Hubbard Denton	18
Bert "	15
Beatrice "	12.
Rock "	6
Margie "	3.

(Make reference to M. C. 10. #2).

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

 ACTING Commissioner

REFUSED

DECISION RENDERED:

AUG 30 1902

NOTICE OF DECISION: MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMANDED BY THE SECRETARY OF
INTERIOR FOR FURTHER HEARING.
DEC 18 1902

RECORD FORWARDED DEPARTMENT.

JUN 20 1904

ACTION APPROVED BY
SECRETARY OF INTERIOR.

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION

REFER TO M. C. R. 960

FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

JAN 4 - 1905

See Miss Choctaw D. 1.
" " " R. 960.

Choc. MCR 970

Griff Denton

MCR 970

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 970.

In the matter of the application for identification as Mississippi Choctaws of Grif Denton, which he makes on his own behalf and in behalf of his two minor children. Grif Denton, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Grif Denton.
Q What is your age? A 44.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you lived at Ardmore? A 2 years this month.
Q Where did you live before that? A In Paris, Texas.
Q How long? A 23 or 25 years.
Q Ever live in Mississippi? A No sir.
Q What is the name of your father? A Joe Denton.
Q Living or dead. A Dead.
Q White or Negro? A He was mixed, not with white though. He was Creek and Negro.
Q Emaline Geffey, or Fertate, now Denton.
Q Is she living? A Yes sir.
Q What is she, white or not? A Claims Mississippi Choctaw.
Q Full blood? A Yes sir.
Q How much Choctaw blood do you claim? A 1/3.
Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Did she ever make any application to be enrolled as a citizen of the tribal authorities of the Choctaw Nation? A No sir, she never has.
Q Did she ever make application for identification as a Mississippi Choctaw to the Dawes Commission? A Yes sir.
Q When? A I do not know exactly, but it has been close to two years.
Q Where was this? A Colbert Station.
Q Did she make application for you at that time? A Yes sir.
Q What was done with that application do you know?
A No sir.
Q Do you know whether or not it was acted upon? A No sir.
Commission: It was never acted upon.
Q Is this the first application that you have ever made in person for identification as a Mississippi Choctaw? A
A Yes sir.
Q And you now make application for the identification of yourself and children as Mississippi Choctaws? A Yes sir.
Q How many children? A Two.
Q Minors and unmarried? A Yes sir.
Q Do you know anything about the treaty of 1830? A No sir.
Q Did you ever have explained to you article 14 of the treaty of 1830? A No sir.
Q What is the name of your ancestors who lived in Mississippi in 1830 under whom you now claim the right to be identified

as a Mississippi Choctaw? A I do not understand you.

Q You claim your mother is a full blood Choctaw? A Yes sir.

Q Did she ever live in Mississippi? A Yes sir.

Q With her parents? A Yes sir.

Q Do you know the name of your mother's father with whom she lived in Mississippi? A No sir.

Q Do you know the name of your mother's mother? A No sir.

Q You simply know that your mother is a full blood Choctaw? A Yes sir.

Q And lived in Mississippi? A Yes sir.

Q But you do not know her father's name, do you? A No sir.

Q Or her mother's name? A No sir.

Q And you do not know whether they were beneficiaries under article 14 of the treaty of 1830? A No sir, I do not know anything about that.

Q Do you know whether they remained in Mississippi in 1830 or came to the Indian Territory? A I guess--No sir, I do not know anything about that.

Q Do you know whether they ever received land in Mississippi from the United States government as beneficiaries under the treaty of 1830? A No sir.

Q Have you any family records that you would like to introduce to show that you are a descendant from ancestors who lived in Mississippi in 1830 and who took advantage of the provisions of the treaty of 1830? A No sir.

Q Are you married? A Yes sir.

Q What is the name of your wife? A Annie Denton.

Q She living? A Yes sir.

Q When and where were you married to Annie Denton?

A Paris, Texas. I do not know the dates, but it was 24 years ago the fifth of this last February.

Q Have you your marriage license and certificate that you would like to introduce? A If I was to get them I would have to send to Paris.

Q Do you want to introduce them? A No sir.

Q Have you any affidavits that you would like to introduce and make a part of the records in this case? A Yes sir.

Attorney:

Attorney for applicant asks leave to file written evidence including marriage license and certificate within 15 days from this date.

Commission:

Motion granted.

Q Have you any children you would like to make application for?

A Yes sir.

Q What's the name of the oldest? A Eva.

Q How old? A 18.

Q What is the name of the next one? A Willie Denton.

Q How old? A 13.

Q Is Annie Denton the mother of these two children? A Yes sir.

Q You the father? A Yes sir.

Q The basis of their claim is the same as yours? A Yes sir.

Q Anything further that you want to say in support of your application? A No sir.

The decision of the Commission in regard to your application which you make for yourself and also in behalf of your two minor children, will be mailed to you in writing at your present post office address in the near future.

NO. 870

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord,

Subscribed and affirmed to before me
this 14 day of November 1900.

Guy L. V. Emerson
Notary Public.

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ball, of Atoka,
Indian Territory, any copies of the records in my case that
under the rule of law the Commission may give out to Attorneys, as
I have employed him to assist me in this case.

WITNESSES TO MARK:

R. J. Ince

Eva H. H. H. H.

Ardmore, I. T. February 20, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Kalls, of Atoka,
Indian Territory, any copies of the records in my case, that under
the rule of law the Commission may give out to Attorneys, as I
have employed him to assist me in this case.

WITNESSES TO MARY:

J. H. Wagner
John C. Wright

Wm. S. Denton

COMMISSIONERS:

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECHINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 15, 1901.

Messrs Hudson and Arnold,
Attorneys at Law,
Ardmore, Indian Territory,
Gentlemen;

Receipt is hereby acknowledged of marriage license of Griff Denton and Annie Cox, and the same have been filed in support of the claim of the said Griff Denton and his minor children.

Yours Truly,

Acting Chairman.

Miss. Choctaw
960 and 970

Muskogee, Indian Territory, March 28, 1902.

Griff Denton,
Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty fifth instant, asking if Emeline Coffee and Griff Denton are on the rolls.

In reply to your letter you are informed that it appears from our records that Emeline Coffee and Griff Denton are applicants to the Commission for identification as Mississippi Choctaws, and that no decision has yet been reached nor opinion rendered relative to their rights as Mississippi Choctaws. As soon as a decision is reached you will both be notified of the action of the Commission.

Yours truly,

Commissioner in Charge.

M.C.R. 970

Muskogee, Indian Territory, August 30, 1902.

Grif Denton,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Teranna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Ebersson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 28, 1896 (30 Stat., 496) which is as follows:

G.D.

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosi Denton, Enola Denton, Mary Ann Graves, Claborn Denton, (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

Acting Chairman.

Muskogee, Indian Territory, January 13, 1903.

Grif Denton,

Ardmore, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

Grif Denton---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M.C.R. 970

COPY.

Muskogee, Indian Territory, January 4, 1905.

Grif Denton,

Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Eva Denton and Willie Denton, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

Chairman.

MCR-970

Muskogee, Indian Territory, October 29, 1906.

Grif Denton,
Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

970

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Oct. 25, 1900 -
Griff Venton - 1/2 44
Ardmore, L. T.

Father - Joe Venton d

Mother - Marline Leffay d
Ann's mother

wife Annie d Venton d

Children

Eva - girl

Willie

18

13

FILED

OCT 25 1900

COMMISSION TO FIND TRAILS

Refused
REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMAINED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 15 1902

RECORDED DEPARTMENT.

AUG 30 1902

RECEIVED BY
SECRETARY OF INTERIOR

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

REFER TO M. C. R.

JAN 4 - 1905

*See Miss Choc. D. 2.
R. 96c*

Choc. MCR 971

Bettie Watkins

MCR 971

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER 25, 1900.

NO. 971.

In the matter of the application for identification as Mississippi Choctaws of Bettie Watkins which she makes in her own behalf and in behalf of her three minor children. Bettie Watkins, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Bettie Watkins.
Q What is your age? A 26.
Q What is your post office address? A Ark, Indian Territory.
Q How long have you lived at Ark? A about a year.
Q Where did you live before that? A At Ardmore.
Q How long? A A little over a year.
Q How long in the Indian Territory? A Two years.
Q Where did you live before you came to the Indian Territory?
A Paris, Texas.
Q How long did you live there? A 24 years.
Q What is the name of your father? A John Denton.
Q Living? A Yes sir.
Q What is the name of your mother? A Ann Denton.
Q Living? A Yes sir.
Q Under which one of your parents do you claim your Choctaw blood? A Father.
Q Is the name of your father on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Did he ever make application for enrollment in the Choctaw Nation? A Not that I know of.
Q How much blood do you claim? A 1/4.
Q Did he ever make application for identification as a Mississippi Choctaw to the Dawes Commission? A Yes sir.
Q When? A About 2 years ago.
Q Where? A At Colbert.
Q Did he make application in person? A No sir.
Q Who made application for him? A His mother.
Q What is her name? A Emaline Pertate or Coffey.
Q Is she a full blood Choctaw? A Yes sir.
Q What was done with that application that was made by Emaline Pertate-Coffey? A I don't know.
Q Was application made for you at that time? A No sir.
Q No one made application for you at that time before the Dawes Commission? A No sir, not that I know of.
Q The records show that Emaline Pertate, now Coffey, made application for Bettie Watkins and her three minor children in 1898 at Colbert, Indian Territory before the Dawes Commission.
Q Is this the first application that you have ever made before in person? A Yes sir.
Q And the first application that you have ever made for these three children? A Yes sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decision of the Choctaw tribal authorities or the decision of the Dawes Commission? A No sir.

- Q You claim to be a descendant of a Mississippi Choctaw do you?
A Yes sir.
Q What was your father's mother's name? A Emaline Pertate, or Coffey.
Q She is a full blood? A Yes sir.
Q What is her father's name? A I don't know, sir.
Q What is her mother's name? A I don't know sir.
Q Do you know the name of the ancestor who lived in Mississippi in 1830 under whom you now claim the right to identification as a Mississippi Choctaw? A No sir.
Q Under what treaties do you claim the right to identification now? (No answer)
Q Do you know what the word 'treaty' means? A No sir.
Q Did you ever hear of the treaty of 1830? A No sir.
Q Did you ever have read to you article 14 of the treaty of 1830? A No sir.
Q Do you know whether your ancestors who lived in Mississippi ever took advantage of that treaty? A No sir.
Q Do you know whether they ever held land in Mississippi which they received from the United States Government as beneficiaries under article 14 of the treaty of 1830?
A No sir.
Q Do you know anything more about your ancestors than what you have heard from your ancestors? A No.
Q Are you married? A Yes sir.
Q What is your husband's name? A Bobby Watkins.
Q Living? A Yes sir.
Q When were you married to him? A About 8 years ago.
Q You do not remember the exact date? A No sir.
Q Where were you married to him? A Paris, Texas.
Q Under the laws of the state of Texas? A Yes sir.
Q Have you your marriage license and certificate that you would like to offer now to the Commission? A No sir.
Q Do you wish to offer your marriage license and certificate in the future? A No sir.
Q Do you wish to offer affidavits? A No sir.

Attorney:
Attorney for applicant asks leave to file written evidence within 15 days from this date, also marriage license and certificate.
Q Your attorney has made a motion asking for leave to file affidavits and documentary evidence and also marriage license and certificate. A Yes sir.
Q Then you do want to have your marriage license and certificate filed, do you, and made a part of the records in this case? A Yes sir.

Commission:
Motion is granted to file affidavits and documentary evidence, and also marriage license and certificate, provided the same is filed within 15 days from the date of this application. Have you any children that you wish to make application for? A Three.
Q What is the name of the oldest? A Richard.
Q How old? A 8 years.
Q What is the name of the next? A Willie Watkins, 5 years.
Q Next? A Seymour Watkins, two years old.
Q Is Bobby Watkins the father of these three children?
A Yes sir.
Q And you are the mother of them? A Yes sir.
Q The basis of their claim is the same as yours? A Yes sir.

Q Anything more you want to say about your case? A No sir.
The decision of the Commission in regard to this application which you make in your own behalf and on behalf of your three minor children, for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 14 day of November 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, June 12, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of May 30, inclosing certified copy of the marriage license and certificate between Robert Watkins and Bettie Denton, which you offer for filing in support of the application of Bettie Watkins for the identification of herself and children as Mississippi Choctaws.

Also certified copy of marriage license and certificate between Claiborn Denton and Lula Gunn, which you offer for filing in support of the application for identification as Mississippi Choctaws of Claiborn Denton and his minor children.

These papers have been duly filed in the two cases above named. You also inclose certified copy of marriage license and certificate between John Denton and Annie Hendrix, presumably the father and mother of Claiborn Denton and Bettie Watkins. You do not state in which case you wish this paper filed, so it has been made a part of the records in the case of Bettie Watkins, et al.

Yours truly,

Acting Chairman.

MC 971
MC 972

M.C.R. 971

Muskogee, Indian Territory, August 30, 1902.

Bettie Watkins,

Ark, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Easline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Easline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1018

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

B W

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estel- la Denton, Maria Hughes, Billy Denton, Hossie Denton, Enola Den- ton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hick- man, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burk- ley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applica- tions for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the In- terior for review and you will be informed in due time of such ac- tion as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

Muskogee, Indian Territory, January 13, 1903.

Bettie Watkins,

Ark, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

B. Watkins---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M.C.R. 971

CONFIDENTIAL

Muskogee, Indian Territory, January 4, 1905.

Bettie Watkins,

Ark, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Richard Watkins, Willie Watkins and Seynour Watkins, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

James Bixby

Chairman.

MCR-971

Muskogee, Indian Territory, October 29, 1906.

Bettie Watkins,
Ark, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

971

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

1/4

OCT 25 1900

Bettie Watkins - 26
Ark. I. T.

Father

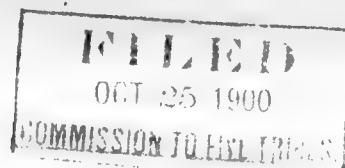
John Vernon I -
mother -
Ann Vernon, I
Clara's mother father.

Nephew

Bobby Watkins I

Chesman

Richard - 8
Willie - 5
Lymour - 2



REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

RENDERED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 18 1902

RECORD FORWARDED DEPARTMENT.

JUN 20 1904

ACTION APPROVED BY
SECRETARY OF INTERIOR.

JUN 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

REFER TO M. O. R. 960.

*See Miss Cho. D. 2.
" " " R 96.*

Choc. MCR 972

Claborn Denton

MCR 972

M. C. R 972

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Claborn Denton and his three minor children.
Claborn Denton being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

- Q What is your name? A Claborn Denton.
Q What is your age? A Twenty nine.
Q What is your post-office address? A Ark.
Q Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A Two
years.
Q Where did you live prior to that time? A Texas.
Q How long did you live in Texas? A Lived there clean until
I come to the Territory. 27 years.
Q Born in Texas? A Yes sir.
Q And lived there all the time until you came to the Indian
Territory? A Yes sir.
Q How much Choctaw blood do you claim? A One fourth.
Q What is your father's name? A John Denton.
Q Is he living? A Yes sir.
Q What is your mother's name? A Ann Denton.
Q Is your mother living? A Yes sir.
Q What is your mother, a white woman? A No sir.
Q Has negro blood? A Yes sir has some.
Q What is your father? A A half breed Choctaw.
Q You claim your rights through your father then? A Through
my grand mother, my father's mother.
Q Your father's name on any of the tribal rolls of the Choctaw
Nation? A No sir, not as I know of.
Q Was your father ever recognized by the Choctaw tribal
authorities as a citizen of that Nation? A No sir, not as I
know of.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission, examined and the name
of the applicant does not appear thereon.

- Q Have you ever made application to the Choctaw Tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their National Council as a
citizen of that Nation? A No sir.
Q Did you or any one in your behalf in 1896 make application
to this Commission for citizenship in the Choctaw Nation under the
act of Congress of June 10th, 1896? A No sir

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896
examined and the name of the applicant does not
appear thereon.

Claborn Denton 2

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the authorities of the Choctaw Nation or of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q Has any application ever been made for you? A I don't know sir, only through my grand mother.

Q Did your grand mother make application for you? A Yes sir, two years ago at Colbert.

Q You are the grand son of Emiline Pertate? A Yes sir.

Q You are the Claborn Denton ~~xxx~~ for whom she applied at that time? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A Because my grand mother is a full blood.

Q Do you claim under the provisions of the fourteenth article of the treaty of 1830? A No sir.

Q The only authority vested in this Commission to hear and determine the rights of parties claiming the right to identification as Mississippi Choctaws is contained in the 21st section of the act of Congress of June 28th, 1898, which provides: "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." Do you make your claim under that provisions of that treaty? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A I don't know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not as I know of.

Q Are you married? A Yes sir.

Q What is your wife's name? A Lena Denton.

Q Is she living? A Yes sir.

Q What is she, white woman? A No sir.

Q Negro? A Part.

Q How old is she? A 24 years old.

Q When did you marry her? A In 1895.

Q Where? A Paris, Texas.

Q Have you your marriage license and certificate? A Yes sir.

Q Got them with you? A No sir.

Q It will be necessary for you to supply the Commission with evidence of your marriage to Lena Denton in the matter of the application for the identification of your children. Are you making any claim for your wife? A No sir, I guess not.

Q What are the names and ages of your children? A Ethel Denton.

Q How old is Ethel? A Five years old.

Q The next one? A Eugenia.

Q How old is Eugenia? A Four.

Q The next one? A Roy.

Q How old is Roy? A Two.

Claborn Denton 3

- Q Is that all? A Yes sir.
Q These children all live with you at your home? A Yes sir.
Q Are you the father of all three of them? A Yes sir.
Q Lena Denton is the mother? A Yes sir.
Q Is there any additional statement you want to make in support of this application? A No sir.
Q Is there any written evidence that you desire to offer the Commission for consideration in support of this application.

Here attorney for the applicant asks leave to file written evidence in support of this application in 15 days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within 15 days from the date hereof

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

This applicant appears to be a negro.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st, day of October, 1900.

Guy L. V. Emerson
Notary Public.

Muskogee, Indian Territory, March 15, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 9, inclosing marriage licenses as follows:

Certified copy of marriage license and certificate between Scott Sutton and Bonnie Denton, for filing in support of the application for identification as Mississippi Choctaws of Bonnie Sutton, et al.

Certified copy of marriage license and certificate between Clayborne Denton and Queenie Wright, for filing in support of the application of Clayborne Denton et al for identification as Mississippi Choctaws.

Certified copy of marriage license and certificate between Tobe Crisp and Miss Jane Denton, to be filed in support of the application for identification as Mississippi Choctaws of Jane Crisp, et al.

Marriage license and certificate between George F. Robinson and Lula B. Denton, to be filed with the application of Lula Robinson for identification as Mississippi Choctaw. The papers have been duly filed with the cases named.

MC 972
MC 973
MC 1002
MC 1015

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, June 12, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of May 30, inclosing certified copy of the marriage license and certificate between Robert Watkins and Bettie Denton, which you offer for filing in support of the application of Bettie Watkins for the identification of herself and children as Mississippi Choctaws.

Also certified copy of marriage license and certificate between Claiborn Denton and Lula Gunn, which you offer for filing in support of the application for identification as Mississippi Choctaws of Claiborn Denton and his minor children.

These papers have been duly filed in the two cases above named. You also inclose certified copy of marriage license and certificate between John Denton and Annie Hendrix, presumably the father and mother of Claiborn Denton and Bettie Watkins. You do not state in which case you wish this paper filed, so it has been made a part of the records in the case of Bettie Watkins, et al.

Yours truly,

Acting Chairman.

MC 971
MC 972

M.O.R. 972

Muskogee, Indian Territory, August 30, 1902.

Claborn Denton,
Ark, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eueline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Eueline Coffey,	M.O.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Nettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1018

These applications were made under the provisions of the act of Congress of June 26, 1898 (30 Stats., 495) which is as follows:

C D

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estel-la Denton, Maria Hughes, Billy Denton, Hosi Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

M C R 972

Muskogee, Indian Territory, January 13, 1903.

Claborn Denton,

Ark, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Meline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eight, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

C. Denton---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Registered.

M.C.R. 972

COPY.

Muskogee, Indian Territory, January 4, 1905.

Claborn Denton,

Ark, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Ethel Denton, Eugenia Denton and Roy Denton, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

Larns Dixey

Chairman.

MCR-972

Muskogee, Indian Territory, October 29, 1906.

Claborn Denton, Jr.,
Ark, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

972

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

$\frac{1}{4}$ OCT 25 1900
Claborn Denton 29.
Ark. Ind. Ter.

FATHER: John Denton - ✓
MOTHER: Ann Denton - ✓
Claims through father.

WIFE: Lena Denton - 24
(No claim for wife).

CHILDREN:
Ethel Denton 5.
Eugenia " 14.
Roy " 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

ACTING CHAIR

To the Commissioner of the Interior

REFUSED

DECISION RENDERED

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT
FOR CHOCTAW AND CHICKASAW NATIONS

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMANDED TO THE COMMISSIONER OF THE
INTERIOR FOR FURTHER HEARING

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

ACTION APPROVED BY
SECRETARY OF INTERIOR.

JAN 11 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 1905

REFER TO M. C. R. 960.

See Case C. R. 2

Choc. MCR 973

Lula Roberson

MCR 973

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., OCTOBER, 25, 1900.

NO. 973.

In the matter of the application for identification as Mississippi Choctaws of Lula Roberson, which she makes in her own behalf and in behalf of her three minor children. Lula Roberson, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Lula Roberson.
Q What is your age? A 27.
Q What is your post office address? A Ardmore, I. T.
Q How long have you lived there? A Two Years.
Q Where did you live before that? A Paris, Texas.
Q How long there? A All my life.
Q What is the name of your father? A Claborn Denton.
Q Living? A Yes sir.
Q What is the name of your mother? A Queenie Denton.
Q Living? A Dead.
Q Under whom do you claim your Choctaw blood? A Grandmother.
Q Which of your two parents? A My father.
Q How much Choctaw blood do you claim? A 1/4.
Q Is the name of your father on any of the Choctaw tribal rolls? A No sir.
Q Did he ever make application for citizenship in the Choctaw Nation? A No sir.
Q Did you ever make application in person to be enrolled by the Dawes Commission? A No sir.
Q Did anyone ever make application for you to be enrolled to the Dawes Commission? A His mother.
Q Did she make application for enrollment or for identification as a Mississippi Choctaw? A As a Mississippi Choctaw.
Q When? A About 2 years ago.
Q Where? A At Colbert.
Q What was done with that application? A I do not know.
Commission: No action was taken by the Commission upon that application.
Q Did anyone make application for you at that time?
A My grandmother.
Q What is her name? A Emaline Coffey. (Pertate).
Q She made application for you for identification as a Mississippi Choctaw? A Yes sir.
Q What action was taken upon that application that was made for you? A I do not know.
Commission: No action was taken by the Commission.
Q Were the names of your three minor children included in that application? A Two were included, and one was not named at that time.
Q The records show that to be correct. This is the first time that you have ever appeared before the Dawes Commission in person in your own behalf? A Yes sir.

- Q And you now appear in person to identify yourself as a Mississippi Choctaw? A Yes sir.
- Q And you appear for the purpose of having these three minor children identified, do you? A Yes sir.
- Q Under what treaty do you claim the right to be identified as a Mississippi Choctaw? A I do not understand the treaties.
- Q Did you ever hear of the treaty of 1830? A No sir.
- Q Do not know anything about article 14 of the treaty of 1830? A No sir.
- Q Do you know whether you can comply in the matter of proof with the provisions of article 14 of the treaty of 1830? A I expect not.
- Q Do you know the name of your ancestor who lived in Mississippi in 1830 under whom you now claim the right to identification as a Mississippi Choctaw? A No sir, I do not.
- Q You say you claim under your father? A Yes sir.
- Q And what was your father's mother's name? A Emaline Coffey. (Pertate).
- Q Full blood? A Yes sir.
- Q Lived in Mississippi? A Yes sir.
- Q With her parents there? A Yes sir.
- Q And her father and mother were full bloods? A Yes sir.
- Q You do not know whether they lived there in 1830 or not do you? A No sir.
- Q Or whether they ever took advantage of the provisions of the treaty of 1830? A No sir, I do not.
- Q Or ever held land there as beneficiaries under that article, that is, article 14 of the treaty of 1830? A No sir.
- Q Do not know whether they held land there or not? A No sir.
- Q Are you married? A Yes sir.
- Q What is the name of your husband? A George Edward Roberson.
- Q Living? A Living.
- Q When were you married to him? A 7th of September seven years ago.
- Q Where were you married to him? A Paris, Texas.
- Q Under the laws of the state of Texas? A Yes sir.
- Q Have you your marriage license and certificate? A No sir.
- Q Would you like to file them within a reasonable time? A If it is necessary I do.
- Q It is for you to say whether it is necessary or not. A Yes sir, I do.
- Q Do you wish to file affidavits or other documentary proofs? A I expect so.
- Attorney:
Here attorney for applicant asks leave to file written evidence, including marriage license and certificate in support of this application within 15 days from this date.
- Commission:
Motion granted.
- Q Have you any children? A Three.
- Q What are their names and ages? A Georgia May, 6 years; Queen Esther, 3 years, and Norma Fay, 7 months old.
- Q Is Geo. E. Roberson the father of these three children?

A Yes sir.

Q You the mother? A Yes sir.

Q The basis of their claim is the same as yours? A Yes sir.

Q Have you anything further that you want to say?

A Not that I know of.

The decision of the Commission as to your application which you now make for yourself and your three minor children, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

14 day of November - 1900.

Guy L. V. Emerson
Notary Public.

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ballis, of Atoka, Indian Territory, any copies of the records in my case that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES TO MARK:

Malinda J. Denton
J. G. Ballis

Lula Robertson

Waskogen, Indian Territory, March 10, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 9, inclosing marriage licenses as follows:

Certified copy of marriage license and certificate between Scott Sutton and Bonnie Denton, for filing in support of the application for identification as Mississippi Choctaws of Bonnie Sutton, et al.

Certified copy of marriage license and certificate between Clayborne Denton and Queenie Wright, for filing in support of the application of Clayborne Denton et al for identification as Mississippi Choctaws.

Certified copy of marriage license and certificate between Tebo Crisp and Miss Jane Denton, to be filed in support of the application for identification as Mississippi Choctaws of Jane Crisp, et al.

Marriage license and certificate between George E. Robinson and Lula E. Denton, to be filed with the application of Lula Robinson for identification as Mississippi Choctaw. The papers have been duly filed with the cases named.

MC 972
MC 973
MC 1002
MC 1016

Yours truly,

Acting Chairman.

M.C.R. 973

Muskogee, Indian Territory, August 30, 1902.

Lula Roberson,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Hatchia Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texasia Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bennie Sutton, et al.,	"	1018

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

L R

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Eseline Coffey, Jennie Gray, John Denton, Texanna Denton, Estel- la Denton, Maria Hughes, Billy Denton, Rosie Denton, Enola Den- ton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hick- man, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burk- ley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applica- tions for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the In- terior for review and you will be informed in due time of such ac- tion as may be taken by him.

Yours truly,

Tamc Dixby.

Acting Chairman.

Registered.

M C R 973

Muskogee, Indian Territory, January 13, 1903.

Lula Roberson,
Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

L. Roberson--2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Register.

M.C.R. 973

COPY.

Muskogee, Indian Territory, January 4, 1905.

Lula Roberson,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Georgia May Roberson, Queen Esther Roberson and Norma Fay Roberson, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

SIGNED,

James Birby

Chairman.

MCR-973

Muskogee, Indian Territory, October 29, 1906.

Lula Roberson,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Enaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

973

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

1/4 OCT 25 1900

Sula Roberson. 27
Ardenmore, I.T.

father
Claborn Roberson
Luerie " d
Clannis mother
father - -

Henson
George Edward Roberson

Chesom
Georgie May (q.) 6
Luerie father 3
Norma Fay 7m.

FILED

OCT 25 1900

COMMISSION TO FIVE TRIBES.

REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 18 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY
SECRETARY OF INTERIOR.

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

REFER TO M. C. R. 960.

See Miss Chas. D. 2.

240.

Choc MCR 974

Washington S. Perry

MCR 974

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCT. 25, 1900.

In the matter of the application of Washington S. Perry for identification as a Mississippi Choctaw, which he makes in his own behalf, said Washington S. Perry being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

- Q What is your name? A Washington S. Perry.
Q Your age? A 27.
Q Your postoffice address? A Caddo, I.T.
Q How long have you lived at Caddo? A I have been there ever since 14th of August, 1900.
Q Where did you live before you lived at Caddo? A Mississippi.
Q Always lived in Mississippi? A With the exception of two years in Texas.
Q What is the name of your father? A Wm. R. Perry.
Q Living? A Yes.
Q What is the name of your mother? A Lockey V. Perry.
Q Is she living? A Yes.
Q You claimed to be Choctaw by blood? A Claim to be Mississippi Choctaw.
Q Under which parent? A Mother.
Q Is her name on any of the tribal rolls of the Choctaw Nation by the Choctaw tribal authorities? A It is not.
Q Was she ever recognized as a citizen of that nation? A She was not.
Q Was she ever recognized as a citizen of the Choctaw Nation by the Dawes Commission acting under the law of June 10, 1896? A No sir.
Q Your father is a white man? A Yes.
Q How much Choctaw blood do you claim? A 1/16.
Q Is your name on any of the tribal rolls of the Choctaw nation? A It is not.
Q Were you ever recognized by the Choctaw tribal authorities as a citizen of that Nation? A No sir.
Q Did you ever make application to the Choctaw tribal authorities for enrollment? A No sir.
Q Did you ever make application to the Dawes Commission for enrollment? A No sir.
Q Is this the first appearance you have ever made either to the Choctaw authorities or Dawes Commission? A It is.
Q You now make application before the Dawes Commission for the purpose of identification as a Mississippi Choctaw? A Yes.
Q What makes you think you are a Mississippi Choctaw? A I have always been told so by my mother.
Q What did she tell you? A She always informed me that I was a Mississippi Choctaw.
Q Did she tell you the name of your ancestor was who lived in Mississippi and under whom you now claim the right to be identified as a Mississippi Choctaw? A Yes.
Q What is the name? A Moses Duke.
Q Was he a full blood? A I think so.
Q Under what treaty do you claim your right to be identified as a Mississippi Choctaw.
Q I claim under all the treaties that is in favor of the Mississippi Choctaws.
Q Did you ever hear of the treaty of 1830? A No sir, I know but little about that; of course I have heard of it. I haven't any

knowledge about how it reads.

Q Do you know anything about the provisions of article 14 of the treaty of 1830? A No sir, I think not.

Q You never had it explained to you then? A No sir.

Q Did you ever hear that this ancestor who lived in Mississippi in 1830 for whom you now claim right of identification as a Mississippi Choctaw ever received land as a beneficiary under article 14 of that treaty? A Never did.

Q Did he ever have any land in Mississippi from any source? A None that I know of.

Q You don't know whether he declared his intention to the Indian Agent within six months after the ratification of that treaty to remain in Mississippi rather than remove to the Indian territory? I don't know.

Q Are you married? A Yes.

Q Have no children? A No sir.

Q What is the name of your wife? A Nancy B.

Q When and where were you married to her? A In Mississippi, Webster county, in 1894.

Q What day of the month? A 24th day of July.

Q Have you your marriage license and certificate? A I have my certificate.

Q Do you care to file it with the Commission? A I turned it over to my counsel here just now, he has it in charge.

Q Have you any affidavits or other documents you wish to file with the Commission? A I have, but not at present.

Q You wish 15 days in which to file? A I do.

Marriage license and certificate received marked Exhibit A received and made part of the records of this case; also 15 days time given for applicant to file affidavits and other documents which he thinks necessary in support of his application.

The decision of the Commission in regard to your application which you make in your own behalf as a Mississippi Choctaw will be mailed to you in writing at your present postoffice address in the near future.

Brown McDonald, having been first duly sworn, upon his oath states that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. P. Emerson
Notary Public.

Muskogee, Indian Territory, November 8, 1900.

Hudson & Arnold,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 2nd instant, enclosing affidavits offered by you for filing in the cases of Lockey V. Perry, William W. Perry, Washington S. Perry and Mary L. Carlisle, applicants for identification as Mississippi Choctaws, and the same have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

M. C. R-941
M. C. R-944
M. C. R-974
M. C. R-946

Muskogee, Indian Territory, January 16, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 14,
inclosing marriage licenses to be filed in support of the following
applications for identification as Mississippi Choctaws:

982, Caroline Meeker et al.

974, Washington S. Perry, et al.

The papers have been filed with the other records in the cases.

Yours truly,

AB

Acting Chairman.

Muskegee, Indian Territory, January 16, 1902.

J. E. Arnold,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, wherein you ask that the cases of certain applicants for identification as Mississippi Choctaws be consolidated with the case of Martin H. Duke et al., set for rehearing at Meridian, Mississippi, February 6, 1902.

You are informed that our records show that William W. Perry, Washington Summerfield Perry, Locky V. Perry and Mary Luvonia Carlisle are applicants to this Commission for identification as Mississippi Choctaws, claiming descent from the same common ancestor, Moses Duke, as in the cases of Martin H. Duke et al.

These cases are now consolidated with the case of Martin H. Duke et al., and additional testimony of such witnesses as present themselves in person in support of the application; in these cases will be heard at the office of the Commission at Meridian, Mississippi, February 6, 1902, at nine o'clock A. M.

Yours truly,

M.C. 941
M.C. 944
M.C. 946
M.C. 974

Commissioner in Charge.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 974

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 27, 1902.

Washington Summerfield Perry,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Joseph L. Mixon, et al., embracing the following applications for identification as Mississippi Choctaws:

Joseph L. Mixon, et al.,	M C R	788
Martin H. Duke, et al.,	M C R	332
Berge Duke,	M C R	333
Ruth Ada Duke,	M C R	334
Andrew J. Duke, et al.,	M C R	449
Mary Keziah Moore, et al.,	M C R	450
Jasper Weldon Allen, et al.,	M C R	452
Sallie A. Roberts et al.,	M C R	453
Edward E. Foster, et al.,	M C R	700
Ella C. Foster,	M C R	701
Dera F. Smith, et al.,	M C R	702
Elizabeth Sparks, et al.,	M C R	706
Turah Hughs, et al.,	M C R	708
William M. Foster et al.,	M C R	713
Thomas I. Sparks, et al.,	M C R	715
William W. Boucher, et al.,	M C R	718
Henry Tilden Smith,	M C R	753
Sidney B. Smith, et al.,	M C R	754
Rebecca Ellen Smith, et al.,	M C R	756
Sarah J. Foster, et al.,	M C R	757
Elizabeth Jones,	M C R	761
Thomas Smith,	M C R	763
M. D. Boucher, et al.,	M C R	766
Sarah White, et al.,	M C R	769
Lizzie White, et al.,	M C R	770
Artie F. Perry, et al.,	M C R	772
Mary K. Luther, et al.,	M C R	774
Sarah L. Cooper, et al.,	M C R	777
Agnes Nelson,	M C R	783
Sarah Ellmina Bryant, et al.,	M C R	785
Beulah B. Ricks, et al.,	M C R	789
Mary S. Foster, et al.,	M C R	794
Richard W. Foster,	M C R	798
Bartlett S. Duke, et al.,	M C R	816

Lycurgus Duke, et al.,	M C R	823
William S. Luther,	M C R	825
William J. A. Smith, et al.,	M C R	902
Laura Howell, et al.,	M C R	952
William A. Sparks, et al.,	M C R	954
Frank Duke,	M C R	1235
Henderson Duke, et al.,	M C R	1236
Richard M. Scott, et al.,	M C R	2593
Thomas Drue Foster,	M C R	2974
John G. Foster, et al.,	M C R	3037
Andrew J. Foster, et al.,	M C R	3038
Thomas P. Duke,	M C R	3104
Bartlett S. Duke, et al.,	M C R	3105
Braddy S. Duke, et al.,	M C R	3106
Pearl Scott,	M C R	3137
Tiff F. Scott,	M C R	3138
Lockey Virginia Perry, et al.,	M C R	941
William Wiley Perry,	M C R	944
Mary Luvenia Carlisle,	M C R	946
Washington S. Perry,	M C R	974
Thomas L. Nixon,	M C R	4922
Stephen T. Duke,	M C R	4923

These applications were made under the provision of the Act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Joseph L. Nixon, Joseph Emmett Nixon, Martin H. Duke, Alonzo H. Duke, Thomas L. Duke, Berge Duke, Ruth Ada Duke, Andrew J. Duke, Elizabeth Caroline Duke, Elsie Jane Duke, George B. Duke, Lillie G. Duke, Birdie Duke, Mary Keziah Moore, William Elmer Moore, Effie May Moore, John V. Allen, Andrew B. Allen, Sallie A. Roberts, Walter A. Roberts, Nora Odessa Roberts, Edward E. Foster, Ada B. Foster, Maud Z. Foster, Eln C. Foster, Dera F. Smith, Erin Smith, Lila Smith, Iva Smith, Elizabeth Sparks, Turah Hughs, William Claudie Hughs, William M. Foster, William Pen Foster, Milla Foster, Bettie Foster, Thomas I. Sparks, Ora T. Sparks, Richard W. Sparks, Freddie C. Sparks, Nettie E. Sparks, William W. Boucher, Sarah Ann Boucher, Jeff T. Boucher, Mary A. Boucher, Harper Duke Boucher, Flora Eunice Boucher, Henry Tilden Smith, Sidney B. Smith, Rebecca Ellen Smith, Rufus J. Smith, Sarah C. Smith, Florence King, Sarah J. Foster, Gatsy Ann Foster, Elizabeth Jones, Thomas Smith, M. D. Boucher, Edward E. Boucher, Haze D. Boucher, Arthur Eugene Boucher, James Quinton Boucher, Leon Boucher, Sarah White, Willie B. White, Ida May White, Lizzie White, Hester Lee White, Claudie White, William Jarrett White, Rena K. White, Artie F. Perry, Bradford Perry, Orion R. Perry, Harvey P. Perry, Nancy K. Luther, Jarrett H. Luther, Roy L. Luther, Roxy M. Luther, Lela Luther, Sarah L. Cooper, Nancy Jane Cooper, George Washington Cooper, James William Cooper, Mary Louisa Cooper, Calvin Hilly Cooper, Agnes Nelson, Sarah Ellmina Bryant, Lillie Bryant, Daisy Bryant, Charlie Bryant, Carl Bryant, Beulah B. Ricks, Joseph Lawrence Ricks, Thaddeus Benton Ricks, Alonza Preston Ricks, Mary S. Foster, Roscoe Foster, Everett A. Foster, Richard W. Foster, Bartlett S. Duke, Tobitha A. Duke, Andrew J. Duke, Geneva Pearl Duke, Lycurgus Duke, Parlee C. Duke, Nellie A. Duke, William S. Luther, William J. A. Smith, Thomas C. Smith, Eddie Lee Smith, Laura Howell, Gladys L.

Howell, Jimmie Howell, Stacy Howell, William A. Sparks, Harvey Sparks, Brady Sparks, David Sparks, Frank Duke, Henderson Duke, Carrie Duke, Claude Duke, Ella Duke, Richard M. Scott, Maymeo Scott, Thomas Drue Foster, John G. Foster, Andrew J. Foster, Ouida Foster, Charles H. Foster, Jackson Foster, Thomas P. Duke, Bartlett S. Duke, Alfred Duke, James William Duke, Braddy S. Duke, Pearl Scott, Tiff F. Scott, Lockey Virginia Perry, Margaret Leticia Perry, Malinda Lucretia Perry, Pearly Ophelia Perry, John Riley Jackson Perry, William Wiley Perry, Mary Luvenia Carlisle, Washington S. Perry, Thomas L. Mixon and Stephen T. Duke, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of the said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

It is the further opinion of the Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Martin H. Duke for the identification of his wife, Mary Ann Duke, that made by Andrew J. Duke for the identification of his wife, Lucinda J. Duke, that made by Elizabeth Sparks for the identification of her husband, Felix Sparks, that made by Turah Hughs for the identification of her husband, John W. Hughs, that made by Thomas I. Sparks for the identification of his wife, Dora A. Sparks, that made by William W. Boucher for the identification of his wife, Mary Elizabeth Boucher, that made by Sidney B. Smith for the identification of his wife, Dollie L. Smith, that made by John G. Foster for the identification of his wife, Jemima J. Foster, that made by Andrew J. Foster for the identification of his wife, Myrtis C. Foster, that made by Bartlett S. Duke for the identification of his wife, Rosie Duke, that made by Braddy S. Duke for the identification of his wife, Maude Duke, and that made by Jasper Weldon Allen for the identification of himself, in each case as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Register.

M.C.R. 974

Muskogee, Indian Territory, November 24, 1902.

Washington Summerfield Perry,
Caddo, Indian Territory.

Dear Sir:

You are hereby notified that on the 14th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Joseph L. Nixon, et al., of which decision you were advised by registered mail on the 27th day of May, 1902.

Respectfully,

Wm. L. Perry
Acting Chairman.

Muskogee, Indian Territory, December 7, 1903.

Washington J. Perry

The Secretary of the Interior with his letter of November 25, 1903, returned to this Commission the record theretofore forwarded the Department in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al., with instructions that the applicants be granted an opportunity to introduce further testimony and evidence in support of their claim.

The Secretary of the Interior in his letter states:

"October 7, 1903, you transmitted a petition for a re-hearing in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al. (M.C.R. 788). Attached to said petition are the affidavits of certain of the applicants in said case, also the affidavit of a full blood Choctaw named John Lewis, who was a resident of the old Choctaw Nation in 1830.

The applicants in this case claim their right to identification as Mississippi Choctaws by reason of their descent from Thomas and Elizabeth Foster. Thomas Foster was an one-half blood Indian who, it is alleged, was a resident of Mississippi in 1830, and complied or attempted to comply with the provisions of article 14 of the Choctaw treaty of that year. The maiden name of Elizabeth Foster was Elizabeth Dukes.

From the affidavit of John Lewis it appears that he was acquainted with said Thomas Foster and with his three brothers, William, James and Hugh Foster; that he was with the Foster brothers in the summer of 1831 at the Union Agency, Mississippi, and that all of said brothers signified their intention to Col. Ward to remain in Mississippi and become citizens of that state.

From the records of the Government it appears that William, James and Hugh Foster were beneficiaries under article 14 of the treaty. It also appears that scrip was issued to one

Thomas Foster, under the provisions of said article, by virtue of the subsequent legislation enacted in reference thereto.

Inasmuch as the showing made in said petition and in the affidavits in support thereof, is corroborated by the records of the Government relating to persons who complied with article 14 of the treaty of 1830, it is considered that a further investigation should be had in this matter."

The Commission is directed to advise you that said records relating to the compliance of persons with the provisions of article 14, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

- 1st. Their description.
 - 2nd. Their residence and improvements (usually locating the same by reference to some town, county, body of water or public road).
 - 3rd. Their Choctaw as well as their English names.
 - 4th. The names and number of the persons who composed their families.
 - 5th. The names of their neighbors and immediate associates,
- and that for the purpose of comparison, testimony of like character should be furnished relative to the applicants' ancestors.

You are advised that the Commission is averse to the acceptance of ex parte affidavits in support of Mississippi Choctaw cases, and prefers, whenever possible, to have the personal appearance of witnesses for examination under oath. In the event that

such witnesses are unable to make personal appearance on account of old age or infirmity, or are non-residents of Indian Territory, their depositions may be considered when taken in conformity with the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws, a copy of which rules and regulations is herewith enclosed.

In accordance with the instructions above referred to, you are hereby notified that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, at any time within thirty days from the date upon which you receive this notice, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered in support of this case, notice of the taking of such testimony or offering of documentary evidence being first served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

R & R Dep.
Registered

Chairman.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BRECKINRIDGE,
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

W. O. B.

REFER IN REPLY TO THE FOLLOWING:
M.C.R. 974.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES. Muskogee, Indian Territory, May 11, 1905.

Washington Summerfield Perry,
Caddo, Indian Territory.

Dear Sir:

You are hereby notified that on April 28, 1905, the Secretary of the Interior reaffirmed the decision of this Commission of May 13, 1902, refusing the applications for identification as ~~Mississippi Choctaws~~, of the several persons included in the consolidated case of Joseph L. Nixon et al.

You are advised that a copy of the decision of the Secretary of the Interior in this case has been furnished I. B. Horton, Attorney at Law, Durant, Indian Territory, and Messrs. Herbert, Walker & Cannon, Attorneys at Law, Ardmore, Indian Territory, attorneys for the several applicants in this consolidated case.

Respectfully,



Chairman.

REFER IN REPLY TO THE FOLLOWING:
MEM-974

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

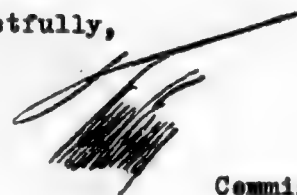
Muskogee, Indian Territory, March 9, 1907.

Washington S. Perry,
Caddo, Indian Territory.

Dear Sir:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied the motions filed by J. O. Pool, attorney at law, South McAlester, Indian Territory, and Gilbert & Bond, attorneys at law, Duncan, Indian Territory, for a rehearing in the consolidated Mississippi Choctaw case of Joseph L. Nixon et al.

Respectfully,



Commissioner.

974

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

116

OCT 25 1900

Washington A. Perry - 27
Caddo. I.T.

Father

William R. Perry

Mother

Lockett V. Perry

Clarris mother

mother for self -

FILED

OCT 25 1900

COMMISSION TO FILE

MAY 18 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 27 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

MAY 27 1902

NOTICE OF DECISION FORWARDED
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 27 1902

RECORD FORWARDED DEPARTMENT.

MAY 27 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOV 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOV 24 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

NOV 24 1903

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR. APR 28 1905

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT. MAY 11 1905

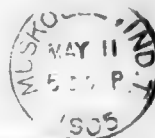
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. MAY 11 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

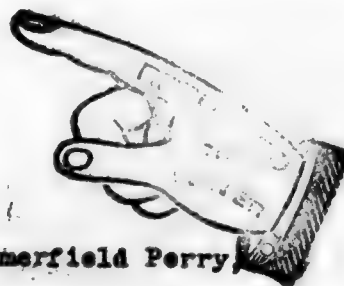
MAY 11 1905

REFER TO M. C. R. 788.

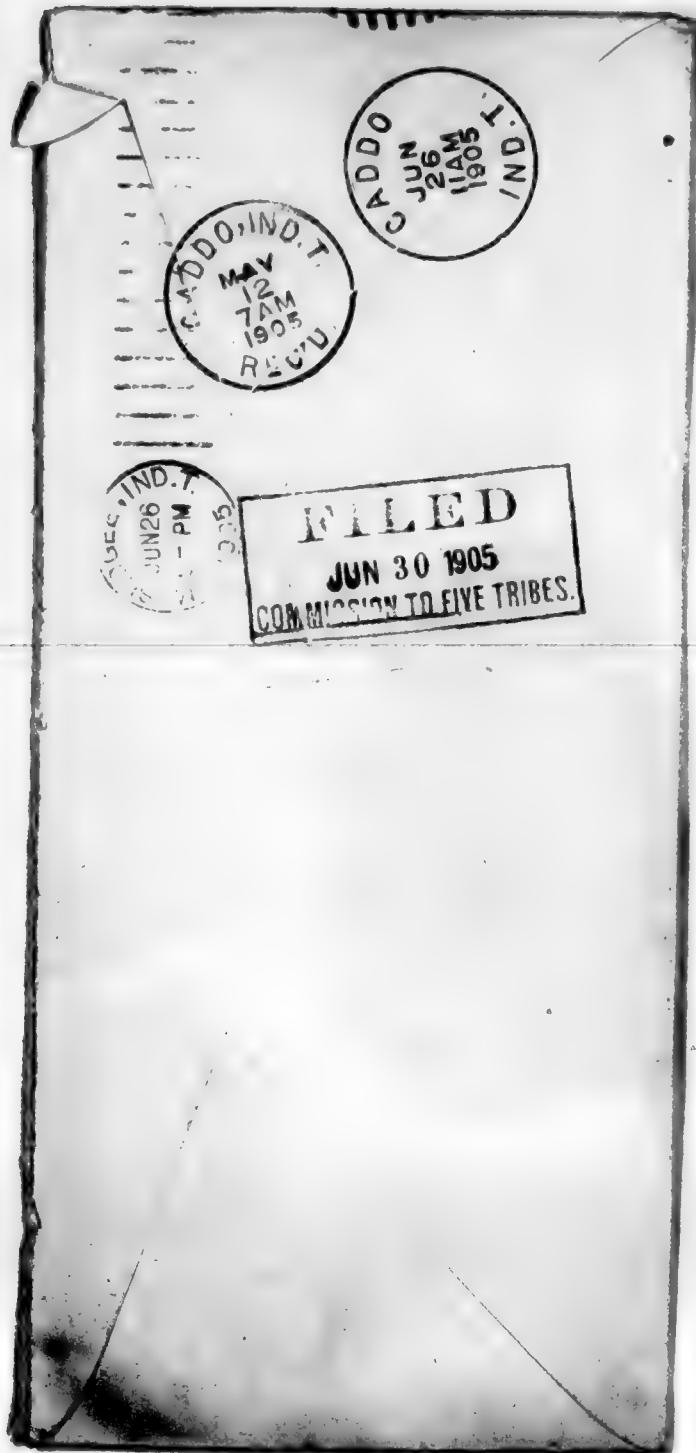
Department of the Interior.
Commission to the Five Civilised Tribes,
MUSKOGEE, IND. TER.



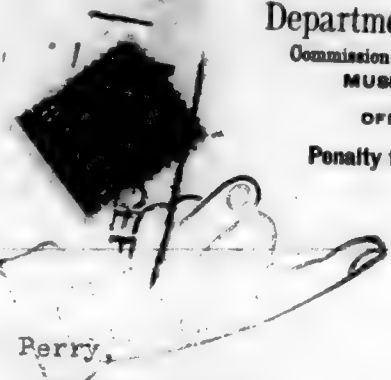
974



Washington Summerfield Perry,
Caddo, Indian Territory.



13294



Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Washington Summerfield Perry,
Caddo, Indian Territory.

** 18*

U.S. Address Unknown

JAN 11 1904



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 13 1904

[Handwritten signature]

CHIEF

12/9/03

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



~~Washington S. Perry,~~

~~Saddo, Indian Territory.~~



DEPARTMENT OF THE INTERIOR.
Commissioner to the Five Civilized Tribes.

FILED

APR 13 1907

Commissioner



Choc. MCR 975

Cornie Delula Martin

See MCR 939

MCR 975

Martin
REFUSED

DECISION RENDERED.

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 939

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as a
Mississippi Choctaw of Cornie Delula Martin. Cornie Delula Martin
~~being duly sworn by the Commission, testified as follows:~~

Examination by the Commission.

- Q What is your name? A Cornie Delula Martin.
Q How old are you? A 19.
Q What is your post-office address? A Caddo, Indian
Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A Been
here ever since in the summer.
Q Which summer? A I come here in July.
Q 1900? A Yes sir.
Q Where did you live before that? A Mississippi.
Q How long did you live in Mississippi? A All my life.
Q Born in Mississippi and lived there up until the time you
moved to the Indian Territory? A Yes sir.
Q What part of Mississippi did you live in? A Eastern por-
tion.
Q What county? A Clay County.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A Riley Crowley.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Nancy Hawkins Crowley.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A Mother.
Q Is your mother's name on any of the tribal rolls of the
Choctaw Nation? A No sir.
Q Has she ever been recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A No sir.
Q Is your name on any of the Choctaw tribal rolls of the
Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant is not found thereon.

- Q Have you ever made any application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities of
the Choctaw Nation by any official act of their National Council as
a citizen of the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A No sir, not that I
knew of.

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896,
examined and the name of the applicant does not
appear thereon.

Gernie D. Martin 2

Q Q. Why do you say not that you knew of. Aren't you sure that you didn't, have you any reason to suppose that you did or that any one made application for you? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A My mother and my sisters taught me.

Q That you were entitled to rights in the Choctaw lands under the 14th article of the treaty of 1830? A And that I had Choctaw blood.

Q Do you make your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A No sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A I don't know, sir.

Q What was your mother's father's name? A John William Schooler.

Q Was he a Choctaw Indian? A Yes sir.

Q Was he a resident of the state of Mississippi in 1830?

A I don't know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Walter Martin.

Q Making any claim for him? A No sir, I am not living with him.

Q Have you any children? A No sir.

Q Making this application solely on your own behalf? A Yes sir.

Q Is there any additional statement you desire to make in support of your application? A Yes sir but don't want to make any today.

Q Is there any written evidence you desire to offer the Commission for its consideration in support of your application?

Here attorney for applicant asks leave to file written evidence in support of this application ~~in fifteen days from this date~~
in fifteen days from this date.

Cernie D Martin 3

Permission is granted attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. Emerson
Notary Public.

COPY

M C R 975

Waukegon, Indian Territory, July 31, 1902.

Gennie Delula Martin,

Wadeo, Indian Territory.

Dear Madam:

You are hereby advised that on the 31st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Mississippi Choctaws:

Nancy Hawkins Crowley, et al.,	M C R 938
Mary Olivia Ellis, et al.,	M C R 935
Virginia B. F. Brock, et al.,	M C R 930
William A. Crowley, et al.,	M C R 955
Martha Pauline Moody, et al.,	M C R 966
Harry Leon Moody, et al.,	M C R 967
Thomas J. Brock,	M C R 968
Gennie Delula Martin,	M C R 973
Elizabeth J. Hanly, et al.,	M C R 976
Messie Elvira Perry,	M C R 977
Norman Ellis,	M C R 979

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

O D M—2

hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Samiah Crowley, Mary Olivia Ellis, William West Ellis, Mary Eliza Ellis, Mrona Gabriella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. T. Brock, Joseph Samuel Brock, Virginia Rosa Nelson Brock, Charles Robert E. Lee Brock, William A. Crowley, Maudie Lee Crowley, Martha Emeline Moody, Lelia May Moody, Albert Clinton Moody, Mary Lucy Moody, Ada Desree Moody, Robert Edgar Moody, Thomas J. Brock, Cornie Deluka Martin, Elisabeth J. Henly, Clifton A. Henly, Bethana Henly, Massie Elvira Perry and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED):

I. B. Woodlee.

Commissioner in Charge.

Registered.

COPY.

M.C.R. 975

Muskogee, Indian Territory, October 11, 1902.

Gernie Delula Martin,
Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Crowley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

(SIGNED).

T. D. Woodlee.
Commissioner in Charge.

A MISSISSIPPI CHOCTAW.

$\frac{1}{8}$

OCT 25 1900

Connie Delula Martin. 19.
Caddo, Ind. Ter.

FATHER: Riley Crowley - ✓
MOTHER: Nancy H. Crowley - ✓
Claims through mother.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT. 25 1900



ACTING CHAIRMAN.

Choc. MCR 976

Elizabeth Jane Henly

See MCR 939

MCR 976

APPLICATION A
A MISSISSIPPI CHOCTAW

Elizabeth Jane Henry

REFUSED

DECISION RENDERED. JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 939

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCTOBER 25, 1900.

In the matter of the application for identification as a Mississippi Choctaw of Elizabeth J. Henly, which she makes in her own behalf, and in behalf of her minor children, said Elizabeth J. Henly being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

- Q What is your name? A Elizabeth J. Henly.
Q Your age? A 33.
Q What is your postoffice address? A Caddo.
Q How long have you lived in Caddo? A I came there in the summer.
Q Of what year? A 1900.
Q How long have you lived there? A I have been there about two months.
Q Where did you live before you lived in Caddo? A Mississippi.
Q Did you come from Mississippi to the Indian Territory? A Yes.
Q Are you married? A Yes.
Q Did your husband come? A Yes, he come since I left home.
Q Have you children? A Yes.
Q Did they come with you? A Yes.
Q What is the name of your father? A Wm. R. Crowley.
Q Is he living or dead? A Living.
Q What is your mother's name? A Nancy H. Crowley.
Q Living or dead? A Living.
Q Under which of your parents do you claim Choctaw blood? A Mother.
Q How much blood do you claim? A 1/8.
Q Is the name of your mother on any of the Choctaw rolls? A No sir.
Q Was she ever admitted to citizenship in the Choctaw nation by the Choctaw tribal authorities? A No sir.
Q Was she ever recognized by the Choctaw tribal authorities as a citizen of that nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Were you ever admitted to citizenship by the Choctaw tribal authorities? A No sir.
Q Did you ever make application to the Choctaw Tribal authorities for admission as a citizen? A No sir.
Q Did anyone ever before this make application for your minor children for citizenship in the Choctaw Nation? A No sir.
Q Did you ever make application to the Dawes Commission to be enrolled, said Commission acting under the law of June 10, 1896? A I think not.
Q Were you ever admitted to citizenship in the Choctaw Nation by a judgment of the United States Court on appeal from the decision of either the Dawes Commission acting under the law of June 10, 1896, or on appeal from the decision of the tribal authorities of the Choctaw Nation? A No sir.
Q Is this the first application you have ever made for identification as a Mississippi Choctaw? A Yes.
Q How do you know that you have Mississippi Choctaw blood in your veins? A My mother always taught me that.
Q Is that the only source of information you have? A Yes, that's what I have always heard.
Q Did she ever tell you who your ancestor was who lived in Mississippi in 1830 under whom you now claim the right to be identified as a

Mississippi Choctaw? A No sir.

Q Do you know the name of your ancestor who lived in Mississippi under whom you now claim right of identification? A No sir.

Q Do you know whether the ancestor, whom you claim was an Indian in Mississippi, and under whom you now claim your right to come before the Commission for identification as a Mississippi Choctaw, ever took advantage of Article 14 of the Treaty of 1830? A No sir.

Q Do you know anything about the laws and treaties that pertain to your application? A No sir.

Q Did you ever read, or have read to you, or have explained, the treaty of 1830? A No sir.

Q Did you ever hear before to-day of Article 14 of the Treaty of 1830? A No sir.

Q Have you any family records at your home with the name of your Mississippi Choctaw ancestor in them? A No sir.

Q Can you give us any information at all except what you have already stated you have received from your mother? A No sir.

Q You can give us no more information? A No sir.

Q Nor the name or names of your ancestors who lived in Mississippi.

A My grand father was John Williamson Schooler.

Q Was he a full-blood Choctaw Indian? A No sir, I don't think he was.

Q How much blood do you think he had? A I don't know, sir.

Q Did he live in Mississippi? A Yes.

Q When? A I don't know.

Q Whoever told you about him? A My mother.

Q I asked you a little while ago if your mother ever told you about who your Mississippi ~~ancestor~~ Choctaw ancestor was, and you said, "no," now do you wish to change your testimony and say that she told you about him as being your Mississippi Choctaw ancestor? A Yes.

Q Did she tell you anything more about him than that? A No sir.

Q Did she ever tell you that he took advantage of the provisions of the treaty of 1830? A No sir.

Q Are you married? A Yes.

Q What is the name of your husband? A Elijah Henly.

Q When and where were you married to him? A In Mississippi.

Q When? A 28th of March, 1891.

Q Have you your marriage license and certificate? A I have my certificate but I returned it to Mr. Arnold.

Q Your attorney? A Yes.

Q Would you like any time in which to file your marriage license and certificate with the Commission? A Yes.

Q Have you any affidavits or other documentary evidence that you would like to file? A Yes.

Q Would you like a little time in which to file them? A Yes.

15 days granted petitioner in which to file affidavits and other documentary evidence which she considers to be essential to her application; also her marriage license and certificate.

Q Have you any children that you want to apply for now? A Yes.

Q How many? Two.

Q Are they minor children and unmarried? A Yes.

Q What is the name of the eldest? A Clifton A., 8 years old.

Q Next? A Bethena, 2 years old.

Q These are your children? A Yes.

Q Living with you? A Yes.

Q The basis of their claim is the same as yours? A Yes.

Q Is there anything further you want to state in reference to your application? A No sir.

4976-3.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw, for yourself and for your children, will be mailed to you in writing at your present postoffice address in the near future.

Brown McDonald, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 31st day of October,
1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Admore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11,
inclosing the following papers for filing:

Certificate of the Clerk of Circuit Court Webster County,
Mississippi, as to the marriage license and certificate between
Elijah Henly and Elizabeth Crowley, which you say you desire to have
filed in support of the claim of Elizabeth Huley; but this is evi-
dently a mistake as our records show that no Elizabeth Huley ever ap-
peared before the Commission as an applicant for identification as a
Mississippi Choctaw; moreover, the certificate itself gives the name
as Elizabeth Henly, and Elizabeth Henly did appear before the Com-
mission in September 1900, as an applicant for the identification of
herself and her minor children as Mississippi Choctaws.

Affidavits of John W. Cummings and D. B. Hull as to the
marriage of Thomas J. Hall and Mary Hall, to be filed in support of
the application for identification as Mississippi Choctaws of Mary
Hull, et al.

Certificate of the Circuit Clerk of Webster County, Miss-
issippi as to marriage license and certificate between H. A. Moody
and Miss Mattie Crowley, to be filed in support of the application of
Martha E. Moody et al. for identification as Mississippi Choctaws.

Page 1

The papers have been filed in the space above mentioned, and will require the consideration of the Commission in determining these applications.

Yours truly,

Acting Chairman.

NO 948
NO 956
NO 976

M C R 978

Muskogee, Indian Territory, July 31, 1902.

Elizabeth J. Henly,

Gadsden, Indian Territory,

Dear Madam:

You are hereby advised that on the 21st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Missions Choctaw:

Nancy Hawkins Crowley, et al.,	M C R 939
Mary Olivia Ellis, et al.,	M C R 935
Virginia E. T. Brock, et al.,	M C R 938
William A. Crowley, et al.,	M C R 956
Martha Emeline Moody, et al.,	M C R 956
Mary Lucy Woody, et al.,	M C R 957
Thomas J. Brock,	M C R 958
Gernie Delula Martin,	M C R 975
Elizabeth J. Henly, et al.,	M C R 976
Nassie Elvira Perry,	M C R 977
Cornelius Ellis,	M C R 979

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 425) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

E J R—2

hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Beulah Crowley, Mary Olivia Ellis, William Fort Ellis, Mary Eliza Ellis, Emma Castella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. E. Brock, Joseph Samuel Brock, Virginia Rosa Nelson Brock, Charles Robert E. Lee Brock, William A. Crowley, Maudie Lee Crowley, Martha Emeline Moody, Lella May Moody, Albert Clinton Moody, Mary Lucy Moody, Ella Deeree Moody, Robert Edgar Moody, Thomas J. Brock, Cornie T. M. Martin, Elizabeth J. Hanly, Clifton A. Hanly, Bothena Hanly, Elsie Elvira Denny and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded therewith in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

E. J. Redick.

Commissioner in Charge.

Respected,

M.C.R. 976

COPY.

Muskogee, Indian Territory, October 11, 1902.

Elizabeth Jane Healy,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Growley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

(SIGNED).

I. B. Needles.

Commissioner in Charge.

976

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

118 OCT 25 1900

Elizabeth Jane Henley - 33
Caddo. I. I.

Father.

William R. Crowley, I

Mother.

Nancy H. Crowley I.

Clarus mother

mother - x - x -

Husband: Elijah Henley.

Children

Clifton Augusta " 8

Bethma " 2

FILED

OCT 25 1900

COMMISSION TO FIVE TABLES.

Choc. MCR 977

Massie Elvira Perry

See MCR 939

MCR 977

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

Massie Elvira Perry

REFUSED

DECISION RENDERED. JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 939.

M. C. R-977

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as
a Mississippi Choctaw of Massie Elvira Perry. Massie Elvira
Perry being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Massie Elvira Perry.
Q What is your age? A 26.
Q What is your post-office address? A Caddo.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A I have
been here about three months.
Q Where did you live before that? A I lived in Mississippi.
Q How long did you live in Mississippi? A I was born and
raised there.
Q Lived there all your life up until the time you removed to
the Indian Territory? A Yes sir.
Q How much Choctaw blood do you claim? A I claim one eighth
Q What is your father's name? A William Riley Crowley.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Nancy Hawkins Crowley.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name on any of the tribal rolls of the
Choctaw Nation? A No sir, none at all.
Q Your mother ever been recognized by the Choctaw tribal
authorities as a citizen of that Nation, A No sir.
Q Your name on any of the tribal rolls of the Choctaw Na-
tion? A No sir, none at all.

Tribal roll of citizens of the Choctaw Nation in
the possession of the Commission examined and the
name of the applicant does not appear thereon.

- Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A No sir.
Q Did you or any one in your behalf in 1896 make application
for citizenship in the Choctaw Nation, to this Commission under
the act of June 10th, 1896? A No sir, none at all.

Record of applications for citizenship in the
Choctaw Nation, made to this Commission in 1896, is
examined and the name of the applicant does not
appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw tribal
authorities or the decision of this Commission? A None that I
know of.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Court, examined and the name of the applicant does
not appear thereon.

Messie E Perry 2

Q Have you prior to this time made any application to either the Choctaw tribal authorities or the authorities of the United States for either citizenship or enrollment as a Choctaw?

A Not that I know of.

Q You would know whether you made any application wouldn't you? A I haint.

Q Then what is your answer to my question. Have you ever made application prior to this time for citizenship or enrollment as a Choctaw? A No sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I have always been taught that by my mother and four sisters.

Q You have been taught that you had a rights in the Choctaw lands under the provisions of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A They haint.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A I don't know, sir.

Q What is your claim then to identification as a Mississippi Choctaw? A Nelson.

Q Who were they? A My great grand parents.

Q What were their given names? A I don't know sir.

Q Were they residence of the state of Mississippi in 1830?

A They were Choctaw Indians.

Q Have you any evidence of that fact? A Yes sir, that is what I have always been taught.

Q Were they ever recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A I don't know sir.

Q Did any of your ancestors ever receive or claim any lands in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir never did receive any no land at all.

Q Are you making any claim by reason of any other treaty stipulation between the United States and the Choctaw tribe of Indians? A I don't understand you.

Q You make your claim as a Mississippi Choctaw under the provisions of the 14th article of the treaty of 1830. Is that correct? A Yes sir.

Q Now, do you claim by reason of any other treaty or stipulation made between the United States and the Choctaw Indians? A No sir I reckon not.

Q Are you married? A Yes sir.

Q What is your husband's name? A Washington Stonefield Perry.

Q Making any claim for him? A No sir.

Q Have you any children? A No sir.

Q Making this application solely on your own behalf? A Yes sir.

Q Is there any additional statement that you desire to make in support of your application? A No sir.

Q Any written evidence you desire to offer the Commission in support of this application.

Here attorney for applicant asks leave to file written evidence in support of this application in 15 days from this date.

permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing with this Commission within fifteen days from the date hereof.

Massie E Perry 3

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. Emerson
Notary Public.

M O R 977

Muskogee, Indian Territory, July 31, 1902.

Massie Elvira Perry,

Cadco, Indian Territory.

Dear Madam:

You are hereby advised that on the 31st day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Missions Chockaw:

Nancy Hawkins Crowley, et al.,	M O R 939
Mary Olivia Ellis, et al.,	M O R 935
Virginia H. T. Brook, et al.,	M O R 938
William A. Crowley, et al.,	M O R 953
Martha Emeline Moody, et al.,	M O R 956
Mary Lucy Moody, et al.,	M O R 957
Thomas J. Brook,	M O R 958
Gornie Delula Martin,	M O R 975
Elizabeth J. Henly, et al.,	M O R 976
Massie Elvira Perry,	M O R 977
Cornelius Ellis,	M O R 979

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

M E P — 2

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Beulah Crowley, Mary Olivia Ellis, William Fort Ellis, Mary Eliza Ellis, Emma A. Ellis, Ella Martin Ellis, John Walker Ellis, Virginia R. T. Brock, Joseph Samuel Brock, Virginia Rosa Leach Brock, Charles Robert T. Lee Brock, William A. Crowley, Mattie Lee Crowley, Martha Thelma Moody, Lillian May Moody, Albert Clinton Moody, Mary Lucy Moody, and Debrae Moody, Robert Edgar Moody, Thomas J. Brock, Cornelia L. Martin, Elizabeth J. Henly, Clifton A. Henly, Bettsena Henly, and Elvira Perry, and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be ordered, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner of the Interior.

Respectfully,

M.C.R. 977

COPY.

Muskogee, Indian Territory, October 11, 1902.

Massie Elvira Perry,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Crowley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

(SIGNED)

E. B. Hoedler.

Commissioner in Charge.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

$\frac{1}{8}$ OCT 25 1900
Massie Olivera Perry. 26.
Caddo, Ind. Terr.

FATHER: William R. Crowley-✓
MOTHER: Nancy H. Crowley-✓
Claims through mother.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 25 1900

 ACTING CHAIRMAN

Choc. MCR 978

Robert Monroe Gray

MCR 978

CHOCTAW.

Robert Monroe Gray

REFUSED

DECISION RENDERED. JUL 26 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 26 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 26 1902

RECORD FORWARDED DEPARTMENT.

JUL 26 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 26 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

SEP -5 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

SEP -5 1902

7/16/02 P.O. address Farmer, L.T.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---O---

In the matter of the application of Robert Monroe Gray
for identification as a Mississippi Choctaw, M.C.R.978.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Robert Monroe Gray.

	(Page)
Original application of Robert Monroe Gray before the Dawes Commission for identification as a Mississippi Choctaw	1
Affidavit of Martha Jenkins Nabors	4
Affidavit of E. T. Sims ..	5
Affidavit of H. E. Mitchell	6
Decision of the Commission denying the application of Robert Monroe Gray for identification as a Mississippi Choctaw	7

-----O-----

M. C. R-978

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as Robert Monroe Gray, as a Mississippi Choctaw. Robert Monroe Gray being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Robert Monroe Gray.
Q What is your age? A 42.
Q What is your post-office address? A Ardmore.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A Since August 17th.
Q What year? A This year, 1900.
Q Where did you live prior to that time? A I lived in Mississippi.
Q How long did you live in Mississippi? A Six years.
Q Where did you live prior to your residence in Mississippi?
A Alabama.
Q How long did you live in Alabama? A All my life.
Q Born in Alabama? A Yes sir.
Q And lived there all your life up until the time you moved to Mississippi, which was six years ago? A Yes sir.
Q You lived in Mississippi from then up until the time you moved to the Indian Territory which was last August? A Yes sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A Jared Gray.
Q Is your father living? A No sir.
Q What is your mother's name? A Martha Ann Gray.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Your mother's name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Your mother ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of the Choctaw Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to the Commission in 1896 for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Robert M Gray 2

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A I have been taught that.

Q Taught what? A By my mother.

Q What have you been taught? A I have been taught that I had a right here.

Q How did you acquire any right in the Choctaw Nation? A By the blood I reckon.

Q You are claiming as a Mississippi Choctaw? A Yes sir.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A Under all the treaties and articles.

Q I will have to ask you if you specifically claim under the fourteenth article of the treaty of 1830? A I claim it under them all.

Q The only authority vested in this Commission to hear and determine the rights of applicants to identification as Mississippi Choctaws is contained in the 21st section of the act of June 28th, 1898, which provides: "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." Do you claim as a beneficiary under that article of that treaty? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I don't know.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A I don't know.

Q What is your claim then for identification as a Mississippi Choctaw? A I don't understand that.

Q I have cited to you that the only authority this Commission had to identify claimants as Mississippi Choctaws were those who claim under the provisions of the 14th article of the treaty of 1830. You say that none of your ancestors have ever complied with the provisions of the 14th article of that treaty and that you don't know that any of your ancestors resided in Mississippi in 1830 when this treaty was entered into between the United States and the Choctaw Indians? A No sir, I don't know.

Q Well, what is the basis of your claim for identification as a Mississippi Choctaw? A I have been taught that.

Q Well, what have you been taught? A That I was a Choctaw by blood, Mississippi Choctaw.

Q Is that the only basis of a claim that you have that some body has told you you were a Choctaw? A Yes sir, my mother.

Q You have never been recognized by the Choctaw Nation? A No sir.

Q Never been admitted to citizenship? A No sir.

Q And you are now claiming a right to identification as a Mississippi Choctaw? A Yes sir.

Q None of your ancestors ever complied with the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q You don't know the name of your ancestor who resided in Mississippi in 1830? A No sir.

Robert M Gray 3

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know that.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A No sir.

Q Ever been married? A No sir.

Q Making application for any one besides yourself? A No sir.

Q Is there any additional statement you desire to make in support of your application? A No sir.

Q Is there any written evidence that you desire to offer the Commission in support of your application.

Here attorney for applicants asks leave to file written evidence in support of this application within fifteen days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within fifteen days from the date hereof.

By L. P. Hudson, attorney for the applicant.

Q Have you sent back to Mississippi to older members of your family for this evidence? A Yes sir.

Q You expect to furnish evidence covering this case? A Yes sir I expected it to be here.

By the Commission.

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. Emerson
Notary public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

J. M. L.
C. v. W.

---o---

In the matter of the application of Robert Monroe Gray
for identification as a Mississippi Choctaw, M.C.R. 978.

--: D E C I S I O N :--

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
by Robert Monroe Gray for himself, under the following provision
of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to deter-
mine the identity of Choctaw Indians claiming rights in the
Choctaw lands under article fourteen of the treaty between the
United States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may admin-
ister oaths, examine witnesses and perform all other acts nec-
essary thereto and make report to the Secretary of the Interior."

It also appears that the said applicant claims rights
in the Choctaw lands under article fourteen of the treaty between
the United States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, by reason of being a descendant
of one Martha Ann Gray, who is alleged to have been a quarter blood
Choctaw Indian.

It further appears from the evidence submitted in support

(2)

of said application, and from the records in the possession of the Commission, that said applicant has never been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321).

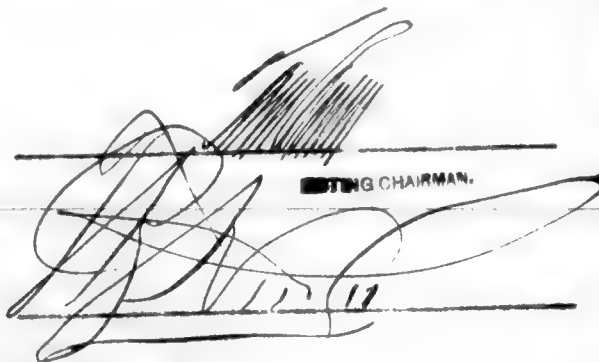
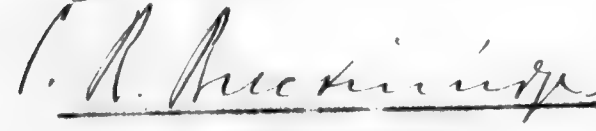
It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Martha Ann Gray, or the applicant herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stat., 180) and August 23, 1842 (5 Stat., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Robert Monroe Gray as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for his identification as such

(3)

should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


ACTING CHAIRMAN.

Commissioners.

Muskogee, Indian Territory,

JUL 26 190

Muskogee, Indian Territory, January 16, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

~~The Commission is in receipt of your letter of January 14,~~
inclosing affidavit to be filed in support of the application of
R. M. Gray for identification as a Mississippi Choctaw. The same
has been duly filed with the other records in the case.

Yours truly,

Acting Chairman.

AB

Muskogee, Indian Territory, January 19, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 15,
inclosing papers to be filed with the following applications for
identification as Mississippi Choctaws:

815 William L. Vernon, et al.

978, Robert Monroe Grey.

The same have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

AB

Muskogee, Indian Territory, January 24, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 18, inclosing affidavit to be filed in the case of R. M. Gray, Mississippi Choctaw #978. The affidavit has been duly filed with the other papers in this case, in accordance with your request.

Yours truly,

Acting Chairman.

AB

Muskogee, Indian Territory, February 28, 1901.

B. M. Jones,

McGee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant in which you desire to be informed if R. M. ~~Gray~~ ^{Faith} ~~White~~ Gray and Mose Gray are on the Choctaw or Chickasaw rolls, and in which you give information as to a dispute between yourself and these parties as to a certain tract of land.

Replying to your letter you are informed that a careful search of the records of this Commission does not disclose that any parties by the name of R. M. Gray or Faite Gray or Mose Gray have been listed for enrollment as citizens of either the Choctaw or Chickasaw Nations.

The records do show however, that on October 25th, 1900, at Muskogee, Indian Territory, Robert Monroe Gray, 42 years of age appeared before the Commission and made application for identification as a Mississippi Choctaw. The Commission has not up to this time rendered a decision as to his rights to such identification but contemplates doing so in the near future when a copy of such decision will be mailed to him at his present post-office address.

The records further show that on June 15th, 1900, Rufus Lafayette Gray, appeared before the Commission at Colbert, Indian Territory and made application for the identification of himself and his three minor children, Owen J., Jas. L. and John O. Gray as

R. M. J. 2

Mississippi Choctaws. His age given at this time was 35 years and his post-office address, McGee, Indian Territory. On September 5th, 1900, after a careful consideration of the testimony in his case, a decision was rendered by the Commission refusing his application for the identification of himself and children as Mississippi Choctaws and a copy of such judgment was on that date mailed to Mr. Gray. On December 3rd, 1900, the original papers in his case were forwarded to the Secretary of the Interior.

As to Moses Gray of whom you inquire, the records of the Commission show that on June 15th, 1900, Moses Gray, 33 years of age of McGee, Indian Territory, appeared before the Commission at Colbert Indian Territory and made application for the identification of himself and minor child, John E. Gray, as Mississippi Choctaws. On September 5th, 1900, a judgment was rendered by the Commission refusing such application and a copy of such decision was on that date mailed Mr. Gray. On December 5th, 1900, the original papers in his case were transmitted to the secretary of the Interior.

You are further informed that the Commission cannot at this time enter into the merits of any controversy arising between citizens of the Choctaw and Chickasaw Nations as to the possession of any particular tract of land in the Choctaw-Chickasaw country. This is a question which will properly come before a land office when such an office is established in the Choctaw-Chickasaw country for the purpose of allowing the citizens of these two Nations to make selection of and file on their prospective allotments.

Yours truly,

M. C. R 62
M. C. R 61 and M C R 67A.

Acting Chairman.

A.C.R. 170.

COPY.

Muskogee, Indian Territory, July 26, 1902.

Robert Monroe Gray,
~~Admiral~~, Indian Territory.

Admiral Farmer G. J.
Sept 10 1902

Dear Sir:

You are hereby advised that on the 26th day of July 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Robert Monroe Gray, an applicant for identification as a Mississippi Choctaw.

The application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Robert Monroe Gray as a Choctaw Indian entitled to rights in the

R.M.G. #2.

Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for his identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. B. Needles.

Commissioner in charge.

Registered.

COPY.

M.C.R. 978.

Muskogee, Indian Territory, July 26, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Robert Monroe Gray, an applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of July 26, 1902.

The Commission has the honor to report that the applicant and the attorneys for the Choctaw and Chickasaw Nations have been fully advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.
1 inclosure.

H.C.P. 978.

COPY.

Wuskogee, Indian Territory, July 26, 1902.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 26th day of July 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Robert Monroe Gray, an applicant for identification as a Mississippi Choctaw.

The application was made under the provision of the act of Congress of June 26, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Robert Monroe Gray as a Choctaw Indian entitled to rights in the Choctaw

2.

lands under the provisions of said article fourteen of the treaty of 1830, and that the application for his identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

I. B. Needles.

Commissioner in Charge.

COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Land 45080-1902.

Washington, August 20, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made July 26, 1902, by the Commissioner in charge of the work of the Commission to the Five Civilized Tribes, forwarding for the Department's consideration the record in the matter of the application of Robert Menree Gray for identification as a Mississippi Chectaw claiming rights in the Chectaw lands under the provisions of the fourteenth article of the treaty of September 27, 1830.

July 26, 1902, the commission held that the applicant was not entitled to identification as a Mississippi Chectaw, and refused his application.

Descent is claimed from Martha Ann Gray, mother of the applicant.

An examination of the records of this office fails to show that Martha Ann Gray complied or attempted to comply with the fourteenth article of the treaty of 1830, or that she applied to the commissions appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of her rights as a Chectaw

-2-

Indian.

It is therefore respectfully recommended that the decision of the Commission rejecting the application, be affirmed.

Respectfully,

Your obedient servant,

A. C. Tenner,

Acting Commissioner.

GAW
D

3 inclosures.

D. C. 14074-1902.

51084

BAF.

DEPARTMENT OF THE INTERIOR.

Washington.

ITD. 5181-1902.
L. R. S.

August 26, 1902.

Commission to the Five Civilized Tribes,

Muskegee, I. T.

Gentlemen:

With your letter of July 26, 1902, you transmitted the record and your decision of that date, in the matter of the application of Robert Menree Gray for his identification as a Mississippi Chectaw.

Applicant traces his descent from one Martha Ann Gray, alleged to have been a quarter blood Chectaw Indian.

The record fails to show that the applicant was ever admitted or enrolled as a citizen of the Chectaw Nation, or that Martha Ann Gray complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the application.

The Acting Commissioner of Indian Affairs forwarded the papers August 20, 1902, and recommended that your decision be approved. A copy of his letter is inclosed.

The Department affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

M.C.R. 978.

Muskogee, Indian Territory, September 5, 1902.

Robert Monroe Gray,

Remailed Farmer I.T. Oct. 13. 92.
Ardmore, Indian Territory.

Dear Sir:-

You are hereby advised that on the 26th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as a Mississippi Choctaw of Robert Monroe Gray, of which decision you were duly advised by registered mail on the 26th day of July, 1902.

Yours truly,

Tamm Dinsby.
Acting Chairman.

M.C.R. 978

Muskogee, Indian Territory, September 5, 1902.

Manefield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 26th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as a Mississippi Choctaw of Robert Monroe Gray, of which decision you were duly advised by mail on the 26th day of July, 1902.

Yours truly,

James Dinty.

Acting Chairman.

M C R 978

Muskogee, Indian Territory, May 15, 1903.

R. M. Gray,
Farmers, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, in which you ask to be advised relative to the status of your case.

In reply you are informed that on August 26, 1902, the Secretary of the Interior approved the decision of the Commission refusing your application for identification as a Mississippi Choctaw, of which departmental action you were duly notified on September 5, 1902. The Commission considers this case closed.

Respectfully,

Commissioner in Charge.

975
FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

^{1/8}
Robert M. Gray.
OCT 25 1900
Arduore, J. D. 42.

FATHER: Jared Gray - dead.
MOTHER: Martha A. Gray - dead.
Claims through mother.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CIVILIZED TRIBES.
FILED
OCT 25 1900

[Signature]
ACTING CHAIRMAN

2154-1901 B. M. Jones,
McGee, I.T.

MC R 978 Robert Monroe
Gray

On October 25, 1900, Robert
Monroe Gray 42 years old,
appeared before the Com-
mission at Muskogee and
applied for identification
as Mississippi Choctaws.
No judgment has yet been
rendered in this case.

Atoka, February 26, 1901.

AB

Choc. MCR 979

Cornelius Ellis

See MCR 939

MCR 979

Conelius C. Ellis
REFUSED

DECISION RENDERED. **JUL 21 1902**
NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. *939.*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCTOBER 25, 1900.

In the matter of the application of Cornelius Ellis, which he makes in his own behalf for identification as a Mississippi Choctaw, said Cornelius Ellis being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

- Q What is your name? A Cornelius Ellis.
Q Your age? A 22.
Q What is your postoffice address? A Caddo, I.T.
Q How long have you lived at Caddo? A I have been there about two months.
Q Where did you live before you lived in Caddo? A In Arkansas.
Q How long did you live in that state? A 17 years.
Q Ever live in Mississippi? A No sir.
Q What is the name of your father? A John W. Ellis.
Q Living or dead? A Dead.
Q What is the name of your mother? A Mary Olevia Ellis.
Q Living or dead? A Living.
Q Under which of these parents do you claim Choctaw blood? A Mother.
Q Are you married? A No sir.
Q Claim for yourself alone? A Yes.
Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Was she ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Did she ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities to be enrolled as a citizen of that Nation? A No sir.
Q Did you ever make application to the Commission to the Five Civilized Tribes acting under the Act of Congress of June 10, 1896, for enrollment or for identification as a Mississippi Choctaw? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decision of the Dawes Commission, or on appeal from the decision of the Choctaw tribal authorities? A No sir.
Q Is this the first application you have ever made for identification as a Choctaw descended from a citizen who once lived in Mississippi? A Yes, this is the first application.
Q Now what makes you think you are a Mississippi Choctaw by blood? A My mother always taught me that.
Q Your mother taught you, you say? A Yes.
Q Did your mother ever live in Mississippi? A Yes.
Q How much Choctaw blood do you claim to have? A 1/8.
Q How much does she claim? A 1/4.
Q Who was her Mississippi Choctaw ancestor? A Her father was named Schooler.
Q What was the full name? A I don't know.
Q Did he live in Mississippi in 1830? A I don't know whether he did or not.
Q Is he the ancestor under whom you now claim the right of identification? A No sir.
Q What is the name of the ancestor under whom you claim that right? A Nelson.
Q What is his full name? A I don't know, sir.
Q Did he live in Mississippi in 1830? A I don't know.
Q Was he a Choctaw by blood? A Yes.
Q Full-blood? A No sir.

Q What proportion did he have? A Half.
 Q Was his wife a Choctaw? A No sir.
 Q White woman? A Yes.
 Q Do you know whether he ever took advantage of any treaty made between the United States Government and the Choctaw Indians, who resided in Mississippi? A No sir, I don't.
 Q Do you know anything about the treaty of 1830? A No sir.
 Q Did you ever hear of that Treaty? A I have heard of it.
 Q When did you first hear of it? A I could not tell you.
 Q To day? A Last summer was the first I heard of it.
 Q Last summer a year ago? A Yes.
 Q How did you happen to hear that last summer? A I ~~was~~ heard my mother talking about it.
 Q What did she tell you about it? A She said there was a treaty made then with the Choctaws.
 Q Did she tell you it was made last summer? A No sir.
 Q When did she tell you it was made? A She didn't tell me.
 Q Do you remember when it was made? A No sir.
 Q Did you ever hear of Article 14 of the Treaty of 1830? A I have heard of it.
 Q Ever have it explained to you? A No sir.
 Q Do you claim anything under that article now? A I claim under all the treaties and laws that protects the Choctaws.
 Q Then you do not claim under any particular treaty? A I claim under all treaties and laws that protects the Choctaws.
 Q You don't claim under Article 14 alone of the Treaty of 1830? A Yes.
 Q Claim under that alone? A Yes.
 Q Just a moment ago you stated that you claimed under all the treaties and laws that protect the Choctaws and now you say you claim under Article 14 alone, I don't understand you? A I claim under all treaties and laws that protect the Choctaws.
 Q Then you don't claim under Article 14 alone? A If that article protects them I claim under it.
 Q Do you know whether your ancestor, who was a Mississippi Choctaw, and under whom you claim, lived in Mississippi and whose name was Nelson, ever received any land in Mississippi as a beneficiary under article 14 of the treaty of 1830? A No sir, I don't.
 Q Do you know whether he ever complied with the other provisions of Article 14 of the Treaty of 1830? A No sir, I don't.
 Q Do you know anything more about your ancestor who lived in Mississippi, under whom you now claim the right to be identified as a Mississippi Choctaw, than what your mother has told you? A No sir, I don't.
 Q You have stated all you know and all she has told you? A Yes.
 Q Are you married? A No sir.
 Q Make this application just for yourself? A Yes.
 Q Have you any affidavits or documents you wish to file with the Commission? A Yes.
 Q You want to file them now? A No sir.
 Q How much time do you want to file them? A I want 15 days.
 Request of the applicant for 15 days time in which to file such documents as he thinks essential to his application, is given by the Commission.
 Q Is there anything further you want to state in support of your application? A No sir.
 The decision of the Commission in the application which you have just made for identification as a Mississippi Choctaw, will be mailed to you in writing at your present postoffice address in the near future.

#979-5.

Brown McDonald, having been first duly sworn, upon his oath states that as Stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 20th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Brown McDonald

Subscribed and sworn to before me this 25 31st day of October, 1900.

Guy L. Emerson
Notary Public.

COPY.

M C R 979.

Muskogee, Indian Territory, July 21, 1902.

Cornelius Ellis,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on the 21st day of July, 1902, the Commission to the Five Civilized Tribes, rendered a decision in the consolidated case of Nancy Hawkins Crowley, et al., embracing the following applications for identification as Mississippian Choctaw:

Nancy Hawkins Crowley, et al.,	M C R 939
Mary Olivia Ellis, et al.,	M C R 935
Virginia B. T. Brock, et al.,	M C R 938
William A. Crowley, et al.,	M C R 955
Martha Emeline Moody, et al.,	M C R 956
Mary Lucy Moody, et al.,	M C R 957
Thomas J. Brock,	M C R 958
Gornie Delula Martin,	M C R 975
Elizabeth J. Henly, et al.,	M C R 976
Hassie Elvira Perry,	M C R 977
Cornelius Ellis,	M C R 979

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 4950) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen

O E-----8

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nancy Hawkins Crowley, Nancy Beulah Crowley, Mary Olivia Ellis, William Wort Ellis, Mary Eliza Ellis, Erna Gabriella Ellis, Ella Hawkins Ellis, John Walker Ellis, Virginia E. T. Brock, Joseph Samuel Brock, Virginia Rosa Nelson Brock, Charles Robert E. Lee Brock, William A. Crowley, Maudie Lee Crowley, Martha Eueline Moody, Lelia May Moody, Albert Clinton Moody, Mary Lucy Moody, Ada Dearee Moody, Robert Edgar Moody, Thomas J. Brock, Cornie Delula Martin, Elizabeth J. Henly, Clifton A. Henly, Betenna Henly, Massie Elvira Perry and Cornelius Ellis, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

COPY.

Muskogee, Indian Territory, October 11, 1902.

Cornelius Ellis,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nancy Hawkins Crowley, et al., of which decision you were advised by registered mail on the 21st day of July, 1902.

Respectfully,

(SIGNED)

T. E. Needles.

Commissioner in Charge.

979

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

1/8 OCT 25 1900

Cornelia Ellis - 22
Caddo, I.T.

father

John W. Ellis, d

mother.

Mary Olevia Ellis, s

Chad is miser

motion for sep.

FILED

OCT 25 1900

COMMISSIONER OF THE

Choc. MCR 980

John M. B. Williams

See MCR 206

MCR 980

IDENTIFICATION AS
A MEMBER OF CHOCTAW.

John M.B. Williams

REFER TO M. C. R. 206

REFUSED.

DECISION RENDERED. MAR 3 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 3 1902

NOTICE OF DECISION

FORWARDED ATTORNEY

FOR APPLICANTS.

MAR 3 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 3 1902

RECORD FORWARDED DEPARTMENT.

MAR 3 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 22 1902

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

MAY 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

MAY 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAY 2 1902

M. C. 980.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Oct. 25, 1900.

In the matter of the application for identification as
Mississippi Choctaws of John M. B. Williams and his minor child.
John M. B. Williams being duly sworn by the Commission, testified
as follows:

Examination by the Commission.

Q What is your name? A John M. B. Williams.
Q How old are you? A Thirty seven.
Q What is your post-office address? A Cooper, Texas.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided there? A All my life.
Q Did you ever live in the Indian Territory? A No sir.
Q You have always maintained a residence in the state of Texas?
A Yes sir.
Q What is your father's name? A John Williams.
Q Is your father living? A No sir.
Q What is your mother's name? A Leona May Williams.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw
blood. A My mother.
Q How much Choctaw blood do you claim? A One thirty second.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw Nation? A No sir.
Q Your mother ever recognized during her life time as a
citizen of the Choctaw Nation by the tribal authorities of that
Nation? A I don't know.
Q Is your name on any of the tribal rolls of the Choctaw Na-
tion? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal authori-
ties for citizenship in the Choctaw Nation? A I have not.
Q Have you ever been recognized by the tribal authorities of
the Choctaw Nation as a citizen of that Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A Nosir, not that I
know of.

Record of applications made to the Commission in
1896 for citizenship in the Choctaw Nation, examined
and the name of the applicant is not found thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the tribal authorities of
the Choctaw Nation or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Court for the Indian Territory examined and the
name of the applicant not found thereon.

John M. B. Williams 2

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A My grand mother made an application in 1898 to the Dawes Commission and my understanding was that I was included in that.

Q In 1898? A Yes sir.

Q What was your grand mother's name? A Mary A Bittick.

Q Are you a grand son of Mary A. Bittick who made application to this Commission at Ardmore, September 28th, 1898, for identification as a Mississippi Choctaw? A Yes sir.

Q You are making your claim through Mary A. Bittick for identification as a Mississippi Choctaw? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw land under the provisions of the 14th article of the treaty of 1830? A Because my grand mother lived in Mississippi at that time.

Q Was she a recognized member of the Choctaw tribe of Indians at that time? A I don't know.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I don't know.

Q Did Mary A. Bittick or any other of your ancestors through whom you might claim this right to identification, ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw tribe of Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Eliza V. Williams.

Q Is she living? A Yes sir.

Q How old is she? A She is 42 years old.

Q Is she a white woman? A Yes sir.

Q Are you making any claim for her? A No sir.

Q Have you any children? A One.

Q What is the name and age of your child? A Name Albert 15 years old.

Q Are you the father of this child? A Yes sir.

Q Eliza V. Williams is the mother? A Yes sir.

Q Where did you marry Eliza V. Williams? A Delta County, Texas.

Q When? A On the 2nd day of December, 1883.

Q Have you your marriage license and certificate? A Not with me.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to Eliza V. Williams in the matter of the application for the identification of your child Albert Williams. Albert Williams has always lived with you at your home? A Yes sir.

Q Is there any additional statement you desire to make in support of your application? A No sir.

Q Is there any written evidence you desire to file with the Commission in support of this application? A Yes sir.

Permission is granted the applicant to file written evidence in support of this application provided the same is filed within ten days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

John M B Williams 3

Myra Young, having been first duly sworn, upon her oath states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 27th day of October, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing the following papers:

Certified copy of marriage license and certificate between Mr. B. W. Trice and Miss Estella White, to be filed in support of the claim of Estella White et al. to identification as Mississippi Choctaws.

Marriage certificate between Mr. John M. B. Williams and Mrs. E. V. Skidmore, for filing with the application of John M. B. Williams et al, for identification as Mississippi Choctaws.

The papers have been duly filed with the other records in the cases above named, and will receive the attention of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,

Acting Chairman.

MC 980
MC 1013

Muskogee, Indian Territory, Dec 18, 1901.

John W. Williams,
Cooper, Texas.

Dear Sir:

In the matter of the application for identification as Mississippi Choctaws of Samuel ~~W.~~ Bittick, et al, Leonard Bittick and Mary L. Pittick, you are informed that under date of July 30, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in support of such applications. It appears from the records that you appeared before this Commission at Muskogee, Indian Territory on October 25, 1900 and applied for the identification of yourself and minor child as Mississippi Choctaws claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory on Friday, December 20, 1901 at eleven o'clock A. M. there will be heard the testi-

J. V. B. W. 2.

mony of such witnesses as may present themselves in person in support of your application.

Yours truly,

Acting Chairman.

M. C. 980

Muskogee, Indian Territory, November 20, 1901.

J. E. Arnold,
Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 18, in which you ask to be advised the post office address of John M. B. Williams, M. C. #980.

Replying to your letter, you are advised that the post office address of John M. B. Williams, as given by him at the time he applied to the Commission for identification as a Mississippi Choctaw was Cooper, Texas.

Yours truly,

Acting Chairman.

MC 980

Muskogee, Indian Territory, January 7, 1902.

Messrs Galloway & Templeton,
Attorneys at Law,
Sherman, Texas.

Sirs-

Referring to your communication of December 23, 1901, in which you request that commission be issued for the taking of the depositions of Joel J. Hunt, Alexander Sinclair, Mary Sinclair and Nancy Kiser, to be used as evidence in the cases of Samuel G. Bittick, et al, and John M. B. Williams, et al, in their applications before the Commission to the Five Civilized Tribes for identification as Mississippi Choctaws, in accordance with interrogatories filed by you, there is enclosed herewith the commission to take depositions upon interrogatories, direct interrogatories filed by you, cross interrogatories filed by the Commission, and the blank caption and certificate in each of the above cases.

The Commission desires that the deposition of each witness be taken separately, and for that reason a separate commission is issued in each case for each witness that is to testify therein, and they are enclosed in separate envelopes. You will forward these papers immediately to some official authorized to take

S & T -----2.

depositions residing in the vicinity of these witnesses.

These depositions must be taken and returned to the Commission in accordance with the rules and regulations promulgated November 4, 1902, and within thirty days from this date.

Yours truly,

Commissioner in Charge.

MCR-206-980
8 Enc.
Register.

COPY.

M. C. R. 980.

Muskegee, Indian Territory, March 3, 1902.

John M. B. Williams,
Cooper, Texas.

Dear Sir:-

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the Consolidated case of Samuel G. Bittick, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel G. Bittick, et al.,	M C R 206
Mary Ann Bittick,	M C D 3
Leonard M. Bittick,	M C R 302
Emil F. Bittick,	M C R 304
Mary L. Bittick,	M C R 308
John M. B. Williams, et al.,	M C R 980

Said decision, after a review of the evidence submitted, concludes as follows:

'The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898 (30 Stats., 495), is as follows:

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

J. M. B. W. 2.

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Samuel G. Bittick, Samuel F. Bittick, Ida B. Bittick, Yandell Q. Bittick, Mary Ann Bittick (deceased), Leonard M. Bittick, Emil F. Bittick, Mary L. Bittick, John M. B. Williams and Albert Williams, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the dismissal by the Commission to the Five Civilized Tribes, of the application of Samuel G. Bittick for the identification of his wife, Alice Bittick, as an intermarried Mississippi Choctaw, no further consideration of her case is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *James E. Dwyer*

A. L. A.
Commissioner in charge.

Registered.

M.C.R.980

Muskogee, Indian Territory, May 2, 1902.

John M. B. Williams,
Cooper, Texas.

Dear sir:

You are hereby advised that on April 22, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Samuel G. Bittick, et al., of which decision you were advised by registered mail on March 3, 1902.

Yours truly,

Commissioner in Charge.

980

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

OCT 25 1900

^{1/32.}
John M. B. Williams 37.
Cooper, Texas.

FATHER: John Williams - dead.
MOTHER: Leona A. Williams - dead.
Claims through mother

WIFE: Orlia V. Williams - 42.
(No claim for wife).

CHILD:
Albert Williams 15

"Make reference to 'M. C. D. 3'"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

[Signature]
Special Agent in Charge

ATION AS *980*
MISSISSIPPI CHOCTAW.
REFUSED.
John M. B. Williams,
et al.
JUDGMENT WRITTEN MARCH 21 1901 H.C.R.
See Miss. Choct. No. D. 3.
Atty. ally.

Choc. MCR 981

James G. Mitchell

See MCR 863

MCR 981

ATTORNEYS FOR CHOCTAW

James G. Mitchell et al

REFUSED

DECISION RENDERED. JUL 26 1902

NOTICE OF DECISION MAILED APPLICANT:

JUL 26 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

1902

RECORD FORWARDED DEPARTMENT.

JUL 26 1902

ACTION APPROVED BY SECRETARY OF INTERIOR:

OCT 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 31 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

1902

REFER TO M. C. R. 863

22012 401

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application of James G. Mitchell for identification of himself and four minor children as Mississippi Choctaws. James G. Mitchell being duly sworn by the Commission testified as follows:

Examination by the Commission.

Q What is your name? A James G. Mitchell.
Q What is your age? A Thirty six.
Q What is your post-office address? A Ardmore.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A About twelve years.
Q Where did you live prior to that time? A Texas.
Q How long did you live in Texas? A About 14 years I guess.
Q Where did you live before that time? A Missouri.
Q How long did you live in Missouri? A I was born there.
Q Born in Missouri and lived there until you went to Texas? A Yes sir.
Q And lived in Texas until 12 years ago when you came to the Indian Territory? A Yes sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A James Mitchell.
Q Is your father living? A No sir.
Q What is your mother's name? A Clara Mitchell.
Q Is your mother living? A No sir, she's dead.
Q Through which one of your parents do you claim your Choctaw blood? A Father.
Q Your father's name ever on any of the tribal rolls of the Choctaw Nation? A I suppose so. I don't know for sure.
Q Your father ever recognized during his life time by the Choctaw tribal authorities as a citizen of that Nation? A Not as I know of.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not as I know of.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant is not found thereon.

Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, father did.
Q When? A In 1896.
Q Was that made to the Choctaw tribal authorities or was that application made to this Commission? A I could not tell you.
Q You state that your father did make application in your behalf to the Choctaw tribal authorities? A I think he did.
Q To the Choctaw Council at Tushkahomma? A I could not tell. I do not know for sure.
Q Do you know whether the Choctaw Council ever took any action on his application? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir, not that I know of.
Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw

James G. Mitchell 2

Nation under the act of Congress of June 10th, 1896? A Father made an application for a right.

Q You were included in that application? A I think so. That was my understanding.

Q What action did the Commission take in the matter of this application? A I do not know.

Records of the Commission examined and in cases heard under the act of Congress of June 10th, 1896, Citizenship docket C, page 418 Choctaw case 1311 James Mitchell et. al vs the Choctaw Nation. Original application filed September 10th, 1896. Answer of the Choctaw Nation was filed thereto and on December 8th, 1896, the Commission denied the application of James Mitchell et. al for citizenship in the Choctaw Nation. There is no record of any appeal having been taken from the decision of the Commission in the time prescribed by law.

Q You were a party to the original application made by James Mitchell to this Commission in 1896? A I think it were.

The name of James Mitchell, the applicant, is found among those who made application in the petition of James Mitchell above referred to.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir, I don't know.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory, examined and the name of the applicant is not found thereon.

Q Have you ever made application for enrollment or for identification as a Mississippi Choctaw prior to this time? A No sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A I have been taught by my parents.

Q What have you been taught? A That my grand father was a half blood Choctaw Indian.

Q Was she a recognized member of that tribe by the authorities of that tribe? A Yes sir.

Q Have you any evidence of that fact? A No, only I have been told.

Q Isn't the claim you are making now on the same basis as that made by your father to this Commission in 1896? A I suppose so.

Q You are making your claim now under the provisions of the fourteenth article of the treaty of 1830? A Yes sir, I guess so.

Q You guess so? A How was that. Let me hear it again.

Q Are you making your claim for identification as a Mississippi Choctaw under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A Did not.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I think my grand father did, my great grand father did.

Q What was your great grand father's name? A Hunter.

Q What was his full given name? A Joab Hunter.

James G. Mitchell 3

Q Did he receive land in Mississippi as a beneficiary under the provisions of the fourteenth article of the treaty of 1830?

A I don't know.

Q Have you got a patent from the United States government showing that he received any such land? A No sir.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Lottie Mitchell.

Q Is she living? A Yes sir.

Q Are you making any claim for her? A No sir.

Q Is she a white woman? A Yes sir.

Q How old is she? A 29.

Q Where did you marry her? A At Atoka, Choctaw Nation.

Q When? A In 1889.

Q Have you your marriage license and certificate? A No sir.

Q Have you any evidence of your marriage to Lottie Mitchell?

A I have not none with me.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to Lottie Mitchell in the matter of the application for the identification of your children. A Yes sir.

Q How many children have you? A Four.

Q What are their names and ages? A Clarissa.

Q How old is Clarissa? A Nine.

Q The next one? A Addie.

Q How old is Addie? A Seven.

Q What is the name of the next one? A Claud.

Q How old? A Five.

Q The name of the next one? A Earnest.

Q How old is Earnest? A Two years old.

Q Are you the father of these four children? A Yes sir.

Q Lottie Mitchell is the mother? A Yes sir.

Q These children have always lived with you at your home?

A Yes sir.

Q Is there any additional statement you desire to make in support of your application? A No sir.

Q Any written evidence you desire to file with the Commission in support of your application? A Not that I know of.

The decision of the Commission as to your application and the application you make on behalf of your four minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 27th day of October, 1900.

Luigi L. Emerson
Notary Public.

M.C.R. 981.

COPY.

Muskogee, Indian Territory, July 26, 1902.

James O. Mitchell,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 26th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Lewis Mitchell, et al., embracing the following applications for identification as Mississippi Choctaws:

Lewis Mitchell, et al.,	M.C.R. 863
James O. Mitchell, et al.,	" 981
John S. Mitchell,	" 982

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

J O N 2

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Lewis Mitchell, Lonnie Mitchell, Willie Mitchell, Louis Raymond Mitchell, James O. Mitchell, Clarissa Mitchell, Addie Mitchell, Claud Mitchell, Earnest Mitchell and John S. Mitchell as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

I. B. Needles

Commissioner in Charge.

Registered.

M. C. R. 981

Muskogee, Indian Territory, October 31, 1902.

James G. Mitchell,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 22nd day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Lewis Mitchell, et al., of which decision you were advised by registered mail on the 26th day of July, 1902.

Respectfully,

Acting Chairman.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

981

$\frac{1}{8}$ OCT 25 1900
James G. Mitchell. 36.
Ardmore, I. O.

FATHER: James Mitchell - dead.

MOTHER: Clara Mitchell - dead.

Claims through father.

WIFE: Lottie Mitchell - 29
(No claim for wife).

CHILDREN:

Clarissa Mitchell 9.

Addie " 7.

Claude " 5.

Ernest " 2.

No. 1 refused in 1896.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

[Signature]
ACTING COMMISSIONER

Choc. MCR 982

John S. Mitchell

See MCR 863

MCR 982

AMERICAN INDIAN
John S. Mitchell et al

REFUSED

DECISION RENDERED. JUL 26 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 26 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 26 1902

RECORD FORWARDED DEPARTMENT.

JUL 26 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 31 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

1902

REFER TO M. C. R. 863

2112

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for identification as a Mississippi Choctaw of John S. Mitchell. John S. Mitchell being duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A John S. Mitchell.
Q What is your age? A Thirty four.
Q What is your post-office address? A Ardmore.
Q Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
A Twelve years.
Q Where did you live before that time? A Texas.
Q How long did you live in Texas? A Thirteen or 14 years.
Q Where did you live prior to your residence in Texas?
A Missouri.
Q How long did you live in Missouri? A I was about nine
years old when I left I reckon.
Q Did you ever live in Mississippi? A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What was your father's name? A James Mitchell.
Q Is your father living? A No sir.
Q What is your mother's name? A Clara Mitchell.
Q Is your mother living? A No sir.
Q Through which of your parents do you claim your Choctaw
blood? A Father.
Q Was your father's name ever on any of the tribal rolls of
the Choctaw Nation? A I could not tell you.
Q Was he ever recognized by the Choctaw tribal authorities
as a citizen of that Nation? A Not as I know of.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A Not as I know of.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant is not found thereon.

Q Did you ever make application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Any one make application for you? A Father.
Q Did your father make application for you to the Choctaw
Council in 1896? A He made application but I don't know whether
he made it for me.
Q What action did the Choctaw Council take in that application
A I could not tell you.
Q Have you ever been recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A No sir.
Q Did you or any one in your behalf in 1896 make application
to this Commission for citizenship in the Choctaw Nation under the
act of June 10th, 1896? A I don't know unless father.
Q Your father did make application for you in 1896 didn't
he? A I could not say.

Records of the Commission examined, cases heard under
the act of Congress of June 10th, 1896, Docket C
page 418, Choctaw case No. 1311, James Mitchell et.
al versus the Choctaw Nation. Original application
filed September 10th, 1896. The answer of the

John S Mitchell 2

Choctaw Nation was filed thereto and on december 8th 1896, the Commission denied the application of James Mitchell et. al for citizenship in the Choctaw Nation There is no record of any appeal having been taken from the decision of this Commission in the time prescribed by law.

Q Were you a party to this application made by your father, James Mitchell to this Commission under the act of Congress of June 10th, 1896? A I don't know for certain.

The name of the applicant, John Mitchell, appears in the original application made by James Mitchell et. al for citizenship in the Choctaw Nation in the case above referred to.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States court for the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw nation or the decision of this Commission? A I cant understand it.

Q Have you ever been recognized as a citizen of the Choctaw Nation? A That is what I am trying to do now.

Q You have never been recognized by the tribal authorities?

A No sir.

Q Never been admitted by judgment of court? A No sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A I have always been taught that I was a Choctaw.

Q The claim you are making now for identification, isn't it identical with the claim made by your father in 1896? A I guess it is.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of the Choctaw tribe of Indians? A Josh Hunter is my understanding.

Q Have you any evidence that he was a recognized member of the Choctaw tribe of Indians at that time? A No sir.

Q Did any of your ancestors receive or claim any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not as I know of.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw tribe of Indians? A I don't know.

Q Are you married? A No sir.

Q Ever been married? A No sir.

Q Making no claim for any one besides yourself? A No sir.

Q Is there any additional statement you want to make in support of your application? A I guess not.

Q Is there any written evidence that you desire to offer the Commission in support of this application? A There that paper I brought up here to give you.

There is offered in evidence the original application and petition of John Mitchell for identification as a Mississippi Choctaw, same being marked exhibit A, identified as such, filed and made a part of the record in this case.

John S Mitchell 3

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of October, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 27th day of October, 1900.

Guy L. Emerson
Notary Public

COPY.

M.O.R. 982.

Muskogee, Indian Territory, July 26, 1902.

John S. Mitchell,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 26th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Lewis Mitchell, et al., embracing the following applications for identification as Mississippi Choctaws:

Lewis Mitchell, et al.,	M.O.R. 865
James G. Mitchell, et al.,	" 981
John S. Mitchell,	" 982

These applications were made under the provision of the act of Congress of June 20, 1898 (30 Stats. 493) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

J E 2

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Lewis Mitchell, Lennie Mitchell, Willie Mitchell, Lewis Raymond Mitchell, James O. Mitchell, Clarissa Mitchell, Addie Mitchell, Claud Mitchell, Earnest Mitchell and John S. Mitchell as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. B. Needles

Commissioner in Charge.

Registered.

M. C. R. 982

COPY.

Muskogee, Indian Territory, October 31, 1902.

John I. Mitchell,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 22nd day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Lewis Mitchell, et al., of which decision you were advised by registered mail on the 26th day of July, 1902.

Respectfully,

Acting Chairman.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

982

OCT 25 1900

$\frac{1}{8}$
John S. Mitchell 34.
Arcdenore, A. T.

FATHER: James Mitchell - dead.
MOTHER: Clara Mitchell - dead.
Claims through father.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 25 1900

[Signature]

ACTING CHIEF

Choc. MCR 983

John V. Carter

MCR 983

2,98
John V. Carter, et al.

REFUSED

DECISION RENDERED. JUL 28 1902

NOTICE OF DECISION MAILED APPLICANT:

JUL 28 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 28 1902

RECORD FORWARDED DEPARTMENT.

JUL 28 1902

ACTION APPROVED BY SECRETARY OF INTERIOR:

AUG 28 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

SEP - 5 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

SEP - 5 1902

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 31, 1900.

In the matter of the application for identification as
Mississippi Choctaws of John V. Carter and his three minor children.
John V. Carter being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A John V. Carter.
Q What is your age? A 34.
Q What is your post-office address? A Durant.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A Near
ten year.
Q Have you maintained a continuous residence here for ten
years? A No sir, came here in 1890, went away in 93 and come
back in 1897.
Q Have you been here continuously since 1897? A Yes sir.
Q Have you been outside of the Indian Territory in the past
three years? A I didn't move in 1897. I came back in 1897
and didn't move until '98. Been here with my family continuously
since 1898.
Q What time in 1898? A Along in the summer. I can't tell
the exact month unless I study about it.
Q Where did you live prior to your residence in the Indian
Territory? A I lived in Alabama, a while.
Q How long did you live there? A About a year.
Q Where did you live before that? A North Carolina/
Q How long did you live in North Carolina? A About twenty
years.
Q Born there? A Yes sir.
Q Lived there until you moved to Alabama? A Yes sir.
Q And then removed from there to the Indian Territory? ten/
years ago? A I moved from there to Georgia and from Georgia to
the Indian Territory? Come to the Indian Territory in 1890.
Q Staid here until 1893? A Yes sir.
Q Then where did you go? A Texas.
Q And staid there until 1898? A I made my home in Texas
until 1898.
Q Did you ever live in Mississippi? A No sir.
Q You are making application for identification as a Mississ-
ippi Choctaw, are you not? A Yes sir.
Q How much Choctaw blood do you claim? A I don't know. I
guess it is about one fourth.
Q What is your father's name? A Carter, Eli.
Q Is your father living? A No sir.
Q What is your mother's name? A Mary Carter.
Q Is she living? A I don't think she is.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Was your mother's name ever on any of the tribal rolls of
the Choctaw Nation? A Not her name - my grand mother.
Q I am asking you about your mother now. Was your mother ever
recognized during her life time by the Choctaw tribal authorities as
a citizen of the Choctaw Nation? A No sir, not that I know of.

John V Carter 2

Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir, I don't suppose it is.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission, examined and the name of the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been recognized by the tribal authorities of the Choctaw Nation by any official act of their National Council as a citizen of that Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the name of the applicant does not appear thereon

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A You might say not in person. I have wrote to the Dawes Commission and to the Honorable Secretary of the Interior in my case.

Q You have never personally been before the Commission or the Choctaw authorities to make application? A No sir, I belonged to a tribe, a lost tribe and they were Choctaws.

Q you are making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I contend that my parents name appears upon the old Mississippi Choctaw roll and the tradition of the people is that they left Mississippi and went to Tennessee and from Tennessee went to North Carolina.

Q You claim then under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was a member of the Choctaw tribe of Indians? A I don't know only the instructions that I have been taught and that is Goins, the family Goins.

Q What is the full given name? A His full given name - I am not positive but I think his name was Gibson Goins.

Q What relation was Gibson Goins to you? A He was my grand mother's father.

Q Have you any evidence that you are a direct lineal descendant of Gibson Goins? A That is why I have appeared before the Commission. I have been out lots of money and they wont let me get affidavits from the people in the country where I was born and raised. As I tell you there was a tribe of Indians that originally lived in North Carolina and they kept themselves unknown from the

John V Carter 3

government and in '80, some time in '80 the Democrats promised them if they would vote for him he would give them schools and they voted for him and he gave their names and that was the first representation they had. I was known as an Indian, known by the courts as an Indian, my children is Indians and thought it was nothing wrong to make the effort.

Q Have you any evidence of the fact that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830? A They claim that they have.

Q Have you any evidence of that fact? A Myself?

Q Yes sir. A Nothing.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I am pretty positive that they did but I have no evidence to the fact.

Q Do you make any claim by reason of any other treaty agreements entered into between the United States and the Choctaw tribe of Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Minta Carter.

Q How old is she? A She is 21.

Q Is she a white woman? A Yes sir.

Q Not making any claim for her? A No sir.

Q Where did you marry her? A Texas.

Q When? A 1893.

Q Under the laws of the state of Texas? A Yes sir.

Q Have you your marriage license and certificate? A Not

with me.

Q It will be necessary for the Commission to be furnished with the marriage license and certificate between you and Minta Carter in the matter of the application for the identification of your children. A Yes sir.

Q Have you any children? A Yes sir.

Q What are their names and ages? A The oldest one is Goldie

Carter.

Q How old? A 6 years old.

Q All right sir. The next one? A The next one is a boy,

Walter Carter.

Q How old is Walter? A Four years old.

Q The next one? A Hobart Carter.

Q How old is Hobart? A He's near two years old. Might say two years.

Q Is that all? A Yes sir.

Q You are the father of these three children? A Yes sir.

Q Minta Carter is the mother of all three of them? A Yes

sir.

Q They all live with you at your home? A Yes sir.

Q Have always lived with you? A Yes sir.

Q Is there any additional statement you want to make in support of this application? A I want to ask the Commission if the evidence and affidavits of my people where I was born and raised would be considered by the Commission in my behalf. Those people know nothing about the Indian Territory. They are in ignorance of it. They have a right here but are in ignorance of it.

Q You will be granted permission to file written evidence in support of your application provided the same is filed within twenty days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Myra Young having been first duly sworn, upon her oath states, that as stenographer to the Commission to the Five Civilized

John V Carter 4

Tribes, she reported in full all proceedings had in the above entitled cause on the 31st day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. Emerson
Notary Public.

J. F. M.
C. v. W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of John V. Carter, et al.,
for identification as Mississippi Choctaws, M.C.R. 983.

--: D E C I S I O N :--

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by John V. Carter for himself and his three minor children, Goldie, Walter and Hobart Carter, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Gibson Goins, who is alleged to have been a full blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty.

(2)

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Gibson Goins, or any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 130) and August 23, 1842 (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John V. Carter, Goldie Carter, Walter Carter and Hobart Carter, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that

(3)

the application for their identification as such should be refused,
and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



ACTING CHAIRMAN.



C. R. Buckinridge.
Commissioners.

Muskogee, Indian Territory,

JUL 28 1902.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---0---

In the matter of the application of John V. Carter, et al.,
for identification as Mississippi Choctaws, M.C.R. 983.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
John V. Carter, et al.

(Page)

Original application of John V. Carter, et al., before the Dawes Commission for identification as Mississippi Choctaws	1
Certified copy of marriage license of John V. Carter and A.R.M. Bell	5
Affidavit of Saul Locklear	6
Affidavit of Cary Wilkins	7
Decision of the Commission denying the application of John V. Carter, et al., for identification as Mississippi Choctaws	8

-----0-----

M.C.R. 983

COPY.

Muskogee, Indian Territory, July 28, 1902.

John V. Carter,
Durant, Indian Territory.

Dear Sir:

You are hereby advised that on the 28th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of John V. Carter, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John V. Carter, Goldie Carter, Walter Carter and Hobart Carter, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the

-2-

(J V C)

Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

J. B. Hordier

Commissioner in Charge.

Registered.

COPY.

Muskogee, Indian Territory, July 28, 1902.

Messrs. Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 28th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of John V. Carter, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stat. 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John V. Carter, Goldie Carter, Walter Carter and Robert Carter, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this

-2-

(M M & C)

date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

E. A. Needles.

Commissioner in Charge

M.C.R. 983

COPY

Muskogee, Indian Territory, July 28, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of John V. Carter, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 28, 1902.

The Commission has the honor to report that the principal applicant herein, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Through the
Commissioner of Indian Affairs,
1 enclosure.

M C R 983.

Muskogee, Indian Territory, August 11, 1902.

John V. Carter,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th inst., relative to the decision of the Commission in your case.

We can render you no further information in regard to this matter than to advise you that the Commission has refused your application for the identification of yourself and minor children as Mississippi Choctaws, and that the record in this case is now before the Secretary of the Interior for his review.

As soon as we are advised of the action of the Secretary of the Interior, you will be duly notified thereof.

Yours truly,

Acting Chairman.

COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Land 45,519-1902.

Washington, August 11, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted, herewith, a report from Thomas E. Needles, Esq., commissioner in charge of the work of the commission to the Five Civilized Tribes, dated July 28, 1902, relative to the application of John V. Carter, et al., for identification as a Mississippi Choctaw claiming rights under the 14th article of the treaty of 1830.

The principal applicant applies for identification of himself and his three minor children, Goldie, Walter and Robert Carter.

July 28, 1902, the commission found that the applicants were not entitled to identification as Mississippi Choctaws.

The applicants attempt to trace descent from Gideon Geims, his great grandfather.

Cary Wilkins makes affidavit that Mary Carter, the mother of the principal applicant, was a descendant of Eli Locklear.

The records of this office do not show that Folsom Goins or Eli Lecklear complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or that they or either of them applied to the commission appointed under the acts of March 3, 1837 and August 23, 1842, for an adjudication of their rights.

It is therefore respectfully recommended that the decision of the commission rejecting the applicants be approved.

Very respectfully,

Your obedient servant,

A. C. Tenner,

Acting Commissioner.

(G.A.W.)

P.

D. C. 14090-1902.

51480

EAF.

DEPARTMENT OF THE INTERIOR.

Washington.

ITD. 4894-1902.

August 28, 1902.

L. R. S.

Commission to the Five Civilized Tribes,
Muskegee, I. T.

Gentlemen:

With letter of July 28, 1902, you transmitted the record and your decision of that date, in the matter of the application for identification of Jehu V. Carter and his minor children, Goldie, Walter and Hebart Carter, as Mississippi Choctaws.

The applicants endeavor to trace their descent from one Gibson Geins, alleged to have been a full blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a Choctaw citizen, or that said Geins or a less remote ancestor of applicants ever complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You denied the application.

-2-

The Acting Commissioner of Indian Affairs forwarded the papers August 11, 1902, and recommended that your decision be approved

Having carefully reviewed the whole case, the Department affirms your decision. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

E.M.D.

1 inclosure.

M.C.R. 983.

COPY.

Muskogee, Indian Territory, September 5, 1902.

John W. Carter,
Durant, Indian Territory.

Dear Sir:

You are hereby advised that on the 28th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of John W. Carter, et al., of which decision you were duly advised by registered mail on the 28th day of July, 1902.

Yours truly,

Tamc Dixby.
Acting Chairman.

M.C.R. 983.

by,

Muskogee, Indian Territory, September 5, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 28th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of John W. Carter, et al., of which decision you were duly advised by mail on the 28th day of July, 1902.

Yours truly,

James D. [illegible]

Acting Chairman.

M C R 983

Muskogee, Indian Territory, May 6, 1903.

John V. Carter,
Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you ask that the papers in your case be returned you.

In reply to your letter you are informed that the record in your case is now in the hands of the Secretary of the Interior. You should correspond with him in regard to the return thereof.

Respectfully,

Chairman.

983

For Identification as a Mississippi Choctaw.

Date Oct. 31, 1900.

Name John V. Carter

Age 34 Blood 1/4

Post Office, Durant, Ind. Terr.

Father: Eli Carter - dead.

Mother: Mary Carter - dead

Claims through mother.

WIFE: Minta Carter 21

(No claim for wife).

Children:

Goldie Carter 6.

Walter " 4.

Hobart " 2.

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
WASHINGTON, D. C.

FILED

OCT 31 1900

Choc. MCR 984

Amanda E. Ball

MCR 984

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 31, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Amanda E. Ball and her two minor children.
Amanda E. Ball being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A Amanda E. Ball.
Q What is your age? A 48.
Q What is your post-office address? A Elk, I. T. Chickasaw
Nation.
Q Are you a resident of the Indian Territory? A Yes sir, I
live here.
Q How long have you resided in the Indian Territory? A 8
years.
Q Maintained a continuous residence here for 8 years? A Yes
sir.
Q Been outside of the Indian Territory in the past 3 years?
A No sir.
Q Where did you live prior to your residence in the Indian
Territory? A In Arkansas.
Q How long did you live in Arkansas? A I don't exactly
know.
Q About how long? A About 27 years.
Q Where did you live before that? A Tennessee.
Q How long did you live in Tennessee? A Born and raised
there.
Q Lived there all the time until you moved to Arkansas? A
Yes sir.
Q Did you ever live in Mississippi? A No sir.
Q How much Choctaw blood do you claim? A One fourth.
Q What is your father's name? A William Bryant.
Q Is your father living? A No sir.
Q What is your mother's name? A Mary Bryant.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your
Choctaw blood? A My mother.
Q How long has your mother been dead? A About 20 year I
reckon.
Q Was her name ever on any of the tribal rolls of the Choctaw
Nation? A I don't know whether it was or not.
Q Was she ever recognized during her life time by the tribal
authorities of the Choctaw Nation as a citizen of that Nation?
A No sir, if she did I don't know it.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission, examined and the name
of the applicant not found thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties, by any official act of their National Council as a citizen of
the Choctaw Nation? A No sir, not any more than just telling I

Amanda A Ball 2

was Indian.

Q I am talking about the authorities of the Choctaw Nation. Did they ever recognize you as a citizen of the Choctaw Nation?

A Not that I know of. If they did I didn't know of it.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896, examined the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir, I haven't made none but that.

Q This is your first application of any description? A Yes sir, my first application.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A I claim it under that.

Q Why do you believe that you are entitled to such right?

A Because I think my mother was then - in her time - in Mississippi.

Q Was your mother a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I don't know whether she was or not but she was in there about that time.

Q What was your mother's name? A Mary Bryant.

Q What was her maiden name? A Mantooth.

Q Were her father and mother Choctaw Indians? A That is what she told me.

Q What were their names? A Janie Mantooth.

Q Have you any evidence of the fact that she was a recognized member of the Choctaw tribe of Indians in Mississippi? A That's what they have taught me.

Q Have you any evidence of that fact? A I only know what they told me.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know anything about that.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A James T. Ball.

Q He is a white man? A Yes sir.

Q How old is he? A 46 I believe.

Q Are you making any claim for him? A No sir.

Q When did you marry him? A 21 years ago.

Q Have you any children under twenty one years of age and unmarried for whom you desire to make application? A I have two.

Q What are their names and ages? A Sarah Maud Ball.

Q How old is she? A Thirteen.

Amanda E Ball 3

Q What is the name of the next one? A Loyd Ball.
Q How old is he? A Ten.
Q Is that all? A Yes sir.
Q you are the mother of these two children? A Yes sir.
Q And James T. Ball is the father of them? A Yes sir.
Q These children live with you at your home? A Yes sir.
Q Their claim is identical with yours? A Yes sir.
Q Is there any additional statement you desire to make in support of your application and the application you make for your children? A No sir.
Q Is there any written evidence that you desire to offer the Commission for consideration of the Commission in support of this application? A Not unless I need them.
Q Have you got any written evidence, any affidavits that you want to submit? A Not that I know of. If it is needed to be, I can.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 31st day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

L. L. Emerson
Notary Public.

M.C.R. 984.

69 Y.

Muskogee, Indian Territory February 12, 1903.

Amanda E. Ball,
Elk, Indian Territory.

Dear Madam:

You are hereby advised that on the 12th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel M. Mantooth, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel M. Mantooth, et al.,	M.C.R. 392
Elizabeth Mantooth, et al.,	M.C.R. 383
Amanda Nesbitt,	M.C.R. 384
Emma Lyles, et al.,	M.C.R. 385
Jasper Mantooth, et al.,	M.C.R. 386
Alice Smith, et al.,	M.C.R. 688
Sarah A. Trammell, et al.,	M.C.R. 689
Cathern Kochendarfer, et al.,	M.C.R. 690
Amanda E. Ball, et al.,	M.C.R. 984
William Henry Hall,	M.C.R. 985.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

A E B -2

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Samuel M. Mantooth, Luther Mantooth, Howard Mantooth, Virgil Mantooth, Ollie Mantooth, Velma Mantooth, Johnnie C. Mantooth, Albert B. Mantooth, Maggie Mantooth, Amanda Nesbitt, Emma Brown, Jesse Lyles, Cora Lyles, Calvin Lyles, Laura Lyles, Maudie Lyles, Thomas E. Brown, Jasper Mantooth, Calvin Mahole Mantooth, Alice Smith, Harvey Roscoe Smith, Sarah A. Trammell, Thomas Trammell, Alonzo Trammell, George Trammell, Frank Trammell, Edward Trammell, Maggie Trammell, William Trammell, Albert Trammell, Cathern Kochendarfer, Annie Kochendarfer, Amanda E. Ball, Sarah Maud Ball, Loyd Ball and William Henry Hall, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

It is the further opinion of this Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Elizabeth Mantooth for the identification of herself as an intermarried Mississippi Choctaw should therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time, the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tamie F. Felt

Acting Chairman.

Registered.

M.C.R. 984

Muskogee, Indian Territory, May 29, 1903.

Amanda E. Ball,

Elk, Indian Territory.

Dear Madam:

You are hereby notified that on the 15th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi

Choctaws of the several persons included in the consolidated case of Samuel M. Mantooth, et al., of which decision you were advised by registered mail on the 12th day of February, 1903.

Respectfully,

(SIGNED).

W. J. Gordon
Commissioner in Charge.

No. A 984

For Identification as a Mississippi Choctaw.

Date OCT 31 1900

Name *Amanda E. Ball.*

Age *48* Blood *1/4*

Post Office, *Elk, Ind. Terr.*

Father: *William Bryant - dead.*

Mother: *Mary Bryant - dead*

Claims through *no other*

HUSBAND: *James T. Ball 46*
(No claim for husband).

Children:

Sarah Maud Ball 13.
Lloyd " " 10.

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.

FILED

OCT 31 1900

[Signature]
ACTING COMMISSIONER

NOTICE OF DECISION, MAILED APPLICANT.

FEB 12 1903

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

FEB 12 1903

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

FEB 12 1903

RECORD FORWARDED DEPARTMENT.

FEB 28 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAY 15 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAY 29 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

MAY 29 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAY 29 1903

REFER TO M. C. R. 392

DECISION PREPARED

Choc. MCR 985

William H. Hall

MCR 985

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 31st, 1900.

In the matter of the application for identification as a
Mississippi Choctaw of William Henry Hall. William Henry Hall
being first duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A William Henry Hall.
Q How old are you? A 26.
Q What is your post-office address? A Elk, I. T.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A About
eight years.
Q Maintained a continuous residence here for eight years?
Q Yes sir I have lived in the Territory for eight years.
Q Have you been outside of the Indian Territory in the past 3
years? A At short times I have been out and in.
Q Ever made your residence any where else? A No sir.
Q Where did you live prior to that time? A Why, in Arkansas
Q How long did you live in Arkansas? A I lived there for
about - I was born in Arkansas.
Q Born in Arkansas and lived there up until the time you
moved to the Indian Territory? A Yes sir.
Q Did you ever live in Mississippi? A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What was your father's name? A Dudley Hall.
Q Is your father living? A No sir.
Q What is your mother's name? A Mandy E. Ball.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your
Choctaw blood? A Through my mother.
Q Your mother's name on any of the tribal rolls of the Choctaw
Nation? A I don't suppose it is. In fact I know it is not.
Q Has she ever been recognized by the Choctaw tribal authori-
ties as a citizen of the Choctaw Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Na-
tion? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant is not found thereon.

Q Did you ever make application to the Choctaw tribal authori-
ties for citizenship in the Choctaw Nation? A Never did.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their Nation Council as a citizen of
the Choctaw Nation? A I have not.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw
Nation made to this Commission in 1896, examined
and the name of the applicant does not appear thereon

William H Hall

Q Have you ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you prior to this time made any application to either the authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the fourteenth ~~article~~ article of the treaty of 1830? A Well sir, I have been taught that I was Indian ~~is~~ is all that I have. Any rights, I believe. Been taught that by my parents.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A Not that I know of.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was a member of that tribe at that time? A My grand mother I suppose was there.

Q What was her name? A Mary Bryant.

Q Was she a recognized member of the Choctaw tribe of Indians in 1830? A I don't know as she was.

Q Have you any evidence of the fact that any of your ancestors were ever recognized members of the Choctaw tribe of Indians? A I have no evidence of that only what I have been taught.

Q Did any of your ancestors ever receive any lands in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not that I know of. If they did I didn't know it.

Q Do you make any claim by reason of any other treaty stipulations between the United States and the Choctaw Indians? A Yes sir and 1866.

Q What do you claim under the treaty of 1866? A Well, I don't know as I make any other claim now any more than that's the treaty.

Q How does the treaty of 1866 give you any rights in the Choctaw Nation? A I could not exactly tell you. I don't know as it does.

Q Why do you make a claim under it then? A Well, I could not explain it just now how it is.

Q We would like to have you explain what your claim is. You are making a claim and we would like to know what it is. A Well, I don't know that I do. This 1866.

Q Are you married? A No sir.

Q Have you ever been married? A No sir.

Q Making any claim for any one besides yourself? A No sir.

Q Is there any additional statement that you desire to make in support of your application? A No sir, I don't know as there is.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of this application?

A Well, no.

Wm H Hall 3

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 31st day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. Emerson
Notary Public.

COMMISSIONERS

HENRY L. DAWES,
TAMM DIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 13, 1900.

W. H. Hall,

Elk, Indian Territory.

Dear Sir:

The Commission is in receipt of the written application and petition of William H. Hall for identification and enrollment as a Mississippi Choctaw and of Amanda E. Ball for identification and enrollment of herself and her two minor children.

The same are returned to you herewith for the reason that there is no record of any personal appearance of either you or Amanda E. Ball as applicants for identification as Mississippi Choctaws. The rules and regulations of the Department of the Interior and of this Commission require that each and every applicant for enrollment or for identification as a Mississippi Choctaw, must present himself in person before the Commission at one of its appointments for examination under oath, his statements to be taken down by the Commission and upon which the Commission will determine his rights to enrollment, or identification, and such record and the action of the Commission will be preserved and transmitted with the rolls to be considered by the Department when the rolls made by the Commission are submitted for the approval of the Secretary of the Interior.

If it is your intention and the intention of Mrs. Ball to make application for identification as Mississippi Choctaws, it will be necessary for you to present yourselves in person before the Commission for the purpose of examination under oath above

W. H. H. 2--

referred to. It is suggested that if you contemplate making such personal appearance that you do so sometime in the near future.

Yours truly,

Sam B. B. B.
Acting Chairman.

Enc a

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
WASHINGTON, D. C.
JAN 21 1900

1990

M.C.R. 985.

COPY.

Muskogee, Indian Territory, February 12, 1903.

William Henry Hall,

Elk, Indian Territory.

Dear Sir:

You are hereby advised that on the 12th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel M. Mantooth, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel M. Mantooth, et al.,	M.C.R. 392
Elisabeth Mantooth, et al.,	M.C.R. 383
Amanda Nesbitt,	M.C.R. 384
Emma Lyles, et al.,	M.C.R. 385
Jasper Mantooth, et al.,	M.C.R. 386
Alice Smith, et al.,	M.C.R. 688
Sarah A. Trammell, et al.,	M.C.R. 689
Cathern Kochendarfer, et al.,	M.C.R. 690
Amanda E. Ball, et al.,	M.C.R. 984
William Henry Hall,	M.C.R. 985.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

W H H - 2

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Samuel M. Mantooth, Luther Mantooth, Howard Mantooth, Virgil Mantooth, Ollie Mantooth, Velma Mantooth, Johnnie C. Mantooth, Albert B. Mantooth, Maggie Mantooth, Amanda Nesbitt, Emma Brown, Jesse Lyles, Cora Lyles, Calvin Lyles, Laura Lyles, Maudie Lyles, Thomas R. Brown, Jasper Mantooth, Calvin Nahole Mantooth, Alice Smith, Harvey Roscoe Smith, Sarah A. Trammell, Thomas Trammell, Alonzo Trammell, George Trammell, Frank Trammell, Edward Trammell, Maggie Trammell, William Trammell, Albert Trammell, Cathern Kochendarfer, Annie Kochendarfer, Amanda E. Ball, Sarah Maud Ball, Loyd Ball and William Henry Hall, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

It is the further opinion of this Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Elizabeth Mantooth for the identification of herself as an intermarried Mississippi Choctaw should therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time, the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Thomas E. Brown
Acting Chairman.

Registered.

M.C.R. 985

Muskogee, Indian Territory, May 29, 1903.

William H. Hall,

Elk, Indian Territory.

Dear Sir:

You are hereby notified that on the 15th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Samuel M. Mantooh, et al., of which decision you were advised by registered mail on the 12th day of February, 1903.

Respectfully,

(SIGNED)

J. D. Woodlee
Commissioner in Charge.

No. A. 985

For Identification as Mississippi Choctaw.

Date **OCT 31 1900**

Name *William H. Hall.*

Age *26.* Blood *1/8*

Post Office, *Ok. Ind. Ter.*

Father: *Dudley Hall - dead.*

Mother: *Amanda E. Ball - ✓*

Claims through *mother.*

Children:

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 31 1900

ACTING CHAIRMAN.

Wm. Hall
NOTICE OF DECISION MAILED APPLICANT.

FEB 12 1903

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANT.

FEB 12 1903

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

FEB 12 1903

RECORD FORWARDED DEPARTMENT.

FEB 28 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAY 15 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAY 29 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

MAY 29 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

MAY 29 1903

DECISION PREPARED

REFER TO M. O. R. 392.

Choc. MCR 986

Blackstone B. Donaho

MCR 986

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Colbert, Indian Territory,
June 18th, 1900.

In the matter of the application for identification as Mississippi Choctaws of Blackstone B. Donaho and his minor children, Blackstone B. Donaho, being first duly sworn by Acting Chairman Tams Bixby, testified as follows:

- Q What is your name? A Blackstone B. Donaho.
Q How old are you? A Sixty-two years old, I reckon.
Q What is your postoffice address? Maxwell.
Q In the Chickasaw Nation? A Yes sir.
Q How long have you lived in the Chickasaw Nation? A I have been making it my home for six years. Have been in and out nearly all my life.
Q You have lived in the Indian Territory continuously for the past six years? A Yes sir.
Q Have you been out of the Territory within the last six years? A No sir.
Q Where did you come from to the Indian Territory? A Texas.
Q How long did you live in Texas? A Born and raised there.
Q How much Choctaw blood do you claim to have? A I claim one-half.
Q What is your father's name? A Daniel.
Q Is he a Choctaw citizen? A Yes sir, three-quarters.
Q What is your mother's name? A Annie May
Q Either of your parents living? A No sir.
Q What blood was she? A One-quarter.
Q Did your father claim to be a Choctaw Indian in Mississippi? A Yes sir.
Q You claim as a Mississippi Choctaw? A Yes sir.
Q Do you claim under the 14th article of the treaty of 1830 (30) A I have no education, boys, you will have to look over me.
Q You claim as a Mississippi Choctaw? A Yes sir.
Q Do you base your claim on the 14th article of the treaty of 1830? A I don't know nothing about that treaty.
Q Did you ever take advantage of the 14th article of the treaty of Dancing Rabbit Creek? A No sir I did not.
Q Did you or your ancestors ever take any advantage of that article? A Not that I know of.
Q Did you or any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the 14th article of the treaty of 1830. A I never did, I could not say positively about my people.
Q You were born and raised in Texas? A Yes sir.
Q Did your parents come direct from the Choctaw Nation in Mississippi to Texas? A Yes sir.
Q When did they come from Mississippi to Texas? A I could not tell you, only I think somewhere about 1830.
Q Do you know whether they came direct from Mississippi to Texas or whether they came to Indian Territory? A They came to Boggy in the Choctaw Nation, as I remember hearing them talk. Father settled in Pine Island in which place I was born.
Q Were your parents ever recognized by the Choctaw authorities in the Choctaw Nation as citizens since they came from Mississippi here? A I don't know.
Q You have never been ~~recognized~~ put on the Choctaw rolls? A I never have.
Q Did you ever apply to the tribal authorities of the Choctaw Nation for enrollment as a citizen of the Choctaw Nation? A No sir.
Q Did you ever apply to the Commission to the Five Civilized Tribes

under the Act of Congress, June 10th, 1896, for citizenship in the Choctaw Nation? A No sir.

Q This then is your first application? A Yes sir.

Q You said you did not claim under the 14th article of the treaty of Dancing Rabbit Creek; do you claim under the 15th article? A I don't know.

Q Do you claim under the 19th article? A I don't know sir.

Q Do you claim under the supplement to that treaty? I don't know sir.

Q On what then do you base your claim to identification as a Mississippi Choctaw? A I will say that I base it on my blood and on hearing my parents talk and the way I have been raised.

Q Are you married? A Yes sir.

Q Your wife living? A Yes sir.

Q What is her name? A Her name is Mahaley.

Q How old is she? A She is forth-seven

Q You don't claim for her? A No sir.

Q You make this claim for yourself and your children? A Yes sir

Q What are the names and ages of your children who are under 21 year

of age and unmarried? for whom you claim? A Ada 17, Annie May 16,

Q Are they all the children you have that are under 21 years of age and unmarried? A Yes sir.

Q These children are living with you and always have lived with you? A Yes sir.

Q They have never been out of the Territory? A No sir.

Q You are their natural guardian? A Yes sir.

Q You only make claim for yourself and these two children? A That's all sir.

Q Have you any additional statements you wish to make regarding your claim? A Only that if I have failed to comply with the law it is because I can't read I have so poor education. I have been blind for three years but can now see to get around but I have been entirely blind; I have had no chance to comply with the law and have not been able to comply with the law for the fact that I have no money.

Q Have you any papers which you wish to file? A Yes sir. I claim the evidence of the Parks as evidence in my case.

Affidavit of Francis A Young, petition of Blackstone B. Donaho, accepted as evidence, marked exhibit "A" and filed.

Q I understand you to say Mr. Donaho that you also claim by virtue of the judgment of the United States Court in this case of J. E. and K. C. Parks vs the Choctaw Nation, case number 552. A As evidence, that is to establish my status, we are all of a family.

The decision of the Commission as to your application for yourself and on behalf of your two minor children for identification as Mississippi Choctaws, will be mailed to you at your present postoffice address in the near future.

Permission is granted during this day additional evidence in support of this claim.

A. McElrath, being first duly sworn, states that he, as stenographer to the Commission to the Five Civilized Tribes, reported the foregoing case and that the above and foregoing is a full, true and complete transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 17 day of July 1900.

A. McElrath
Acting Chairman.

Muskogee, Indian Territory, January 31, 1902.

Blackstone B. Donaho,
Maxwell, Indian Territory.

Dear Sir:

In the matter of the applications for identification as Mississippi Choctaws of Isaac E. Donaho et al. and Robert E. Donaho et al., you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses.

It appears from our records that at Colbert, Indian Territory, on June 18, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and two minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday, March 10, 1902, at nine o'clock A. M., there will be heard

B. B. D.--2.

the testimony of such witnesses as present themselves in person
in support of your application.

Yours truly,

M.C. 986

Acting Chairman.

Muskogee, Indian Territory, January 19, 1903.

Blackstone B. Donaho,

Maxwell, Indian Territory.

Dear Sir:

You are hereby advised that on the 19th day of January, 1903 the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Isaac E. Donaho, et al., embracing the following applications for identification as Mississippi Choctaws:

Isaac E. Donaho, et al.,	M.C.R. 271
Robert E. Donaho, et al.,	M.C.R. 273
John E. Donaho,	M.C.R. 275
Anna Journagan, et al.,	M.C.R. 2232
Martin W. Palmer, et al.,	M.C.R. 2233
Will Palmer,	M.C.R. 2234
James W. Palmer, et al.,	M.C.R. 2235
Florence Malderine Ward, et al.,	M.C.R. 570
George W. Donaho,	M.C.R. 571
Walter Lee Donaho,	M.C.R. 573
Lena J. Claspitt, et al.,	M.C.R. 614
Thomas T. Donoho,	M.C.R. 841
Blackstone B. Donaho, et al.,	M.C.R. 986
T.F. Donaho, et al.,	M.C.R. 4468
William Donaho, et al.,	M.C.R. 4608
Joseph T. Young, et al.,	M.C.R. 4609
Frances Ann Young,	M.C.R. 4610
Paralee L. Searcy, et al.,	M.C.R. 4611
Mollie Martin, et al.,	M.C.R. 5147
Lula Watson, et al.,	M.C.R. 5148
William L. Donaho, et al.,	M.C.R. 5149
Charlie Donaho, et al.,	M.C.R. 5150
Sallie Martin, et al.,	M.C.R. 5151
Sarah Katherine Peters, et al.,	M.C.R. 6197

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Isaac E. Donaho, James Owen Donaho, Lucinda C. Donaho, Jerry S. Donaho, Evin J. Donaho, Robert E. Donaho, William Rufus Donaho, John E. Donaho, Anna Journagan, Eddie Journagan, Huley Journagan, Martin W. Palmer, Alice Palmer, Will Palmer, James W. Palmer, Harvey I. Palmer, Fay Palmer, Mary Palmer, Florence Malderine Ward, Annie May Ward, George W. Donaho, Walter Lee Donaho, Lena J. Clampitt, Clare Lilly Clampitt, Thomas T. Donaho, Blackstone B. Donaho, Ada Donaho, Annie May Donaho, T.F. Donaho, David Donaho, William Donaho, Arthur Clayton Donaho, Lizzie B. Donaho, William Lee Donaho, Walter Robert Donaho, Joseph T. Young, Henry Young, Frances Ann Young, Paralee L. Searcy, Annie Searcy, Mollie Martin, Stella Martin, Joseph Martin, Della Martin, Allen Martin, Ethel Martin, Elmer Martin, Lula Watson, Sadie Watson, Eddie Watson, Calvin Watson, Bobbie Watson, William E. Donaho, Mamie Donaho, Ollie Donaho, Nora Donaho, Maggie Donaho, Charlie Donaho, Mabel Donaho, Eddie Donaho, Gladys Belle Donaho, Sallie Martin, Jessie Martin, Travis Wesley Martin, Arthur Martin, Sarah Katherine Peters, Syble Peters, Travis D. Peters, Charles Peters, Luther Peters, Nannie Ann Lott, Ola Lott, Homer Lott and Oscar Thomas Lott as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED:

B. Needles.

Commissioner in Charge.

Registered.

M.C.R. 986.

COPY.

Muskegee, Indian Territory, July 30, 1903.

Blackstone B. Donaho,

Maxwell, Indian Territory.

Dear Sir:-

You are hereby notified that on the 14th day of July, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Isaac R. Donaho et al., of which decision you were advised by registered mail on the 19th day of January, 1903.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

M C R 986

Muskogee, Indian Territory, April 10, 1906.

B. B. Donaho,
Ashland, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 29, 1906, requesting to be advised the status of your application for identification as a Mississippi Choctaw.

In reply you are informed that your application was refused by a decision of the Commission to the Five Civilized Tribes rendered January 19, 1903, in the consolidated Mississippi Choctaw case of Isaac E. Donaho, et al. This decision was approved by the Secretary of the Interior July 14, 1903.

It is not believed that you are entitled to share in the allotment of the lands of the Choctaws and Chickasaws at this time, and you are further advised that this office has no authority to receive or consider any further evidence in support of your claim.

Respectfully,

Acting Commissioner.

INDEXED

COMMISSIONER TO THE TERRITORY			
No.	Received	INDEXED	
12272	APR 5 1906	Book	Page

Donaho, B.R.,
Ashland, I.T.,
Choctaw Nation,
March 29, 1906

Asks status of his
Choctaw citizenship case
and if more evidence is
needed.

M.C.R. 986

1
Ashland S.F. March 25. 43/1906
Gentlemen of the Dams
Commission I am at Choctaw
By, blood and I put my
Claim before the Commission
6027 years ago while you are
at Calhoun since then
produced evidence to the Com
at Muskogee have not had
any from it please let me know
whether allowed or not if more
evidence is wanted I have
brothers of mine got it
Write yours for information

B. B. Donahoe

Ashland S.F.

APR 4 1906

MEMORANDA.

Name Ernestine A. Donahoe (Date) June 18, 1900 1899
62 Maxwell St.

Choctaw? **County** **Year** **No.**

Chickasaw? County Year Page

Citizen by blood?..... Mother's citizenship *James, Naomi & Charles: Boston*

Intermarried citizen? *Mother: Annie H. Jones, Chicago*

Married under what law?

License filed this day, _____

Wife's name, Margaret A. Gagne, 47

Choctaw? County Year No.

[illegible]

Citizen by blood?..... Mother's citizenship.....

Intermarried citizen?

Married under what law?

License filed this day

Names of children:

17 Adm. Donaldson County..... Year..... Page..... No.....

16 Am. May " " County Year Page No.

County	Year	Page	No.
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County Year Page No.

	County	Year	Page	No.
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County _____ Year _____ Page _____ No. _____

County Year Page No.

County _____ Year _____ Page _____ No. _____

County Year Page No.

County Year Page No.

REFUSED

DECISION RENDERED. JAN 19 1903
NOTICE OF DECISION FORWARDED
APPLICANT

JAN 19 1903

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS

JAN 19 1903

NOTICE OF DECISION FORWARDED
FOR CHOCTAW AND CHICKASAW NATIONS.

JAN 19 1903

RECORD FORWARDED DEPARTMENT.

FEB 24 1903

ACTION APPROVED BY SECRETARY INTERIOR.

JUL 14 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

JUL 30 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JUL 30 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS

JUL 30 1903

REFER TO M. O. R. 271.

Choc. MCR 987

Ida Blanch Nickels

MCR 924

MCR 987

Ida Sarah Nichols

REFUSED.

DECISION RENDERED. MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 22 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

MAY 22 1902

NOTICE OF DECISION MAILED ATTORNEYS -
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 22 1902

RECORD FORWARDED DEPARTMENT.

MAY 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 25 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

JUL 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUL 2 1902

REFER TO M. C. R. 924

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 5, 1900.

NO. 987.

In the matter of the application for identification as Mississippi Choctaws of Ida Blanche Nickels, which she makes in her own behalf and on behalf of her three minor children. Ida Blanche Nickels, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Ida Blanche Nickels.
Q What is your age? A 25.
Q What is your post office address? A Caddo, Indian Territory.
Q You claim to be a Mississippi Choctaw by blood? A Yes sir.
Q How much blood do you claim? A 1/16.
Q What is your father's name? A William Harrison Cummings.
Q Living? A Yes sir.
Q What is your mother's name? A Lue Cummings.
Q She living? A Yes sir.
Q Under which of your parents do you claim your Choctaw blood?
A My father.
Q Your mother a white woman? A Yes sir.
Q Is the name of your father on any of the tribal rolls of the Choctaw Nation? A I don't understand it.
Q Is he enrolled? A Yes sir.
Q Is he an Indian? A Yes sir.
Q Where was he enrolled? A Here, I guess.
Q Do you know? A I do not understand that question.
Q Don't you know whether your father is enrolled as a member of the Choctaw tribe of Indians in the Indian Territory?
A Yes sir, he is.
Q He has been? A Yes sir.
Q Do you know that for a fact? A No sir, he is not.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities as a member of the Choctaw Nation? A No sir.
Q Have you ever made application for enrollment to the Choctaw tribal authorities, or to the Dawes Commission, acting under the law of June 10, 1896? A No sir.
Q Have you ever been admitted to membership in the Choctaw Nation by judgment of the United States Court on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.
Q This is the first application that you have ever made to this Commission for enrollment? A Yes sir.
Q You now appear her for the purpose of being identified as a Mississippi Choctaw, for yourself and children? A Yes.
Q Under what laws or treaties do you claim the right to be identified now—do you know the laws? A No sir, I don't.
A Do you know anything of the treaty of 1830, and the article 14 of that treaty? A No sir.
Q Or article 19? A No sir.
Q Or the amendments of that treaty? A No sir.

Q Do you know whether you can comply with the provisions of that treaty? A Yes sir, from what my father has told me.

Q You know that you can? A Yes sir.

Q But you do not know the provisions of that article? A No.

Q How do you know that you can comply with the provisions if you do not know what the provisions are? A Well he has told me.

Q Your father has? A Yes sir.

Q About that article? A Yes sir.

Q What is the name of your ancestor who lived in Mississippi in 1830, under whom you claim the right now to be identified as a Mississippi Choctaw? A Leverett, that is the sir name. I do not remember the given name.

Q What was her name? A Grandmother Leverett.

Q She was a Mississippi Choctaw was she? A Yes sir.

Q And lived in Mississippi? A Yes sir.

Q Did she live there in 1830? A Yes sir.

Q Do you know whether she complied with the provisions of article 14 of the treaty of 1830? A No sir, she did not.

Q Did she ever hold land, or claim land in Mississippi as a beneficiary under article 14 of the treaty of 1830?

A Not that I know of.

Q You do not know whether she did comply with the provisions of that article? A No sir.

Q Are you married? A Yes sir.

Q What is the name of your husband? A Nathaniel Gray Nickels.

Q Your husband living? A Yes sir.

Q Where were you married to him? A In Choctaw County, November 2, 1891.

Q How long have you lived in the Indian Territory? A About 3 months.

Q Where did you live before you came here? A In Texas.

Q Where before that? A In Mississippi.

Q You were married in Texas? A No sir, I was married in Mississippi, in Choctaw County.

Q Have you your marriage license and certificate? A Yes sir.

Q Do you wish to introduce them now? A Yes sir.

Attorney: I will file them with the other papers.

Q Have you any other papers or affidavits or records of any kind that you would like to submit.

Attorney: Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Motion of council for applicant granted.

Q Is there anything further you want to state? A No sir, only I want my children enrolled.

Q Are they minors and unmarried? A Yes sir.

Q What is the name of the oldest child? A Nathaniel Gray Nickels.

Q How old? A 5 years.

Q What is the name and age of the next? A Nellie G. Nickels, 3 years old.

Q Next. A Penelope B. Nickels, six months old.

Q Nathaniel Gray Nickels the father of these three children?

A Yes sir.

Q You the mother? A Yes sir.
Q The basis of their claim is identical with yours? A Yes.
Q Is there anything further that you would like to state?
A No sir.

The decision of the Commission in regard to your application for identification as a Mississippi Choctaw which you make for yourself and children, will be mailed to you in writing at your present post office address in the near future.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 14 day of November 1900.

Chas. L. Emerson
Notary Public.

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing papers to be filed as follows:

Marriage license and certificate between Mr. N. G. Nickels and Miss I. B. Cummings, to be filed in support of the application of Ida Blanch Nickels et al. for identification as Mississippi Choctaws.

Marriage license and certificate between J. A. Pasley and Ella E. Adams, to be filed with the claim of Ella E. Pasley for identification as a Mississippi Choctaw.

The licenses and certificates have been duly filed with the other records in these cases.

There was also inclosed in your letter certified copy of marriage license and certificate between Mr. William Reeves and Miss Clara C. Foster, which you state you desire to have filed with the claim of Clara C. Reeves. You are advised that our records do not show that any Clara C. Reeves ever appeared as an applicant for identification as a Mississippi Choctaw. The only Reeves on our record is Eliza C. Reeves, whose father's name was George Foster, and her mother Sarah A. Foster; her husband's name is William T. Reeves, and she makes application for herself and three minor children, Nora A.

Hudson & Arnold 2

Reeves, Ada B. Reeves and James A. Reeves. If this is the person who appears in the marriage license and certificate as Clara G. Foster, you will please explain this discrepancy in names. The marriage license is herewith returned to you. Upon receipt of more definite information in regard to this matter, the same will receive proper consideration.

Yours truly,

Acting Chairman.

MC 1069
MC 991
MC 987

M.C.R. 987.

COPY.

Muskogee, Indian Territory, May 22, 1902.

Ida Blanche Nickels,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of William H. Cummings, et al., embracing the following applications for identification as Mississippi Choctaws:

William H. Cummings, et al.,	M.C.R. 924
Maria Hodges, et al.,	M.C.R. 342
Walter Hodges, et al.,	M.C.R. 343
Robert E. Cummings, et al.,	M.C.R. 330
Lula Ormsby, et al.,	M.C.R. 352
Bessie F. Roberts, et al.,	M.C.R. 354
Jonnie Etta Walker, et al.,	M.C.R. 355
Charles A. Cummings,	M.C.R. 928
John H. Cummings, et al.,	M.C.R. 1146
Ida Blanche Nickels, et al.,	M.C.R. 987.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of William

I B N 2.

COPY

H. Cummings, Leona Virginia Cummings, Marshall Cummings, Maria Hodges, Connie Hodges, William Hodges, Jesse Hodges, Roxie Hodges, Emma Hodges, Floyd Hodges, Walter Hodges, Robert B. Cummings, Jessie H. Cummings, Robert L. Cummings, William H. Cummings, John T. Cummings, Thomas W. Cummings, Allie M. Cummings, Lula Ormsby, Gussie F. Roberts, Jonnie Etta Walker, Charles A. Cummings, Una Walker, John M. Cummings, John Laflere Cummings, Thomas Homer Cummings, Martha Ada Cummings, Rosebud Cummings, Ida Cummings, Lloyd Allen Cummings, Wirt Johnston Cummings, Ida Blanche Nickels, Nathaniel Gray Nickels, Nellie M. Nickels, and Penelope B. Nickels, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

It is the further opinion of the Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Maria Hodges for the identification of her husband, William H. Hodges, and the application made by Walter Hodges for the identification of his wife, Fanny Hodges, and the application made by Robert B. Cummings, for the identification of his wife, Mary E. Cummings, and the application made by Lula Ormsby, for the identification of her husband, William Ormsby, and the application made by Gussie F. Roberts, for the identification of her husband, Flavious Roberts, and the application made by Jonnie Etta Walker, for the identification of her husband, Berry Walker, as intermarried Mississippi Choctaws, should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Acting Chairman.

Registered.

COPY.

M.G.N. 987.

Muskogee, Indian Territory, July 3, 1903.

Ida Blanch Nichols,

Caddo, Indian Territory.

Dear Madam:

You are hereby advised that on the 28th day of June, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of William H. Cummings, et al., of which decision you were advised by registered mail on the 22d day of May, 1903.

Yours truly,

(SIGNED)

T. M. J. Coates.

Commissioner in Charge.

No. 987

For Identification of a Mississippi Choctaw.

Date NOV - 5 1900

Name *Ida B. Nickels* - 25

Age 25 Blood 11/6

Post Office, *Caddo. L.T.*

Father: *William H. Cummings* - 1

Mother: *Lue* "

Claims through -

Father -

Nathaniel Gray Nichols -

Children:

Nathaniel Iso Nichols 5

Nellie Is " 2

Penelope B 6m.



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227

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RECEIVED
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CADD0, IND. TER.

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MUSKOGEE.

Department of the Interior.

Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

7922

Ida Blanche Nickels

~~Caddo~~

~~J. D.~~

Choe. MCR 988

Marcellus E. Smith

MCR 988

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOV. 5th, 1900.

In the matter of the application for identification as Mississippi Choctaws of Marcellus E. Smith and his minor child, and application he makes on behalf of his wife Mannie E. Smith as an inter-married Mississippi Choctaw:

MARCELLUS E. SMITH, being duly sworn, testified as follows:
(By the Commission)

- Q What is your name? A Marcellus E. Smith.
Q What is your age? A I am 37.
Q What is your post office address? A Shawnee Oklahoma.
Q You are a resident of Oklahoma Territory? A Yes sir.
Q How long have you resided there? A I came there in April 1887.
Q You have resided there continuously since then? A All except I have been gone from there one year--last year--I was at Weatherford, Oklahoma.
Q you have been in Oklahoma Territory for the past-----
Q No, I came there in 1897.
Q You want to correct your statement that it was in 1887. A Yes sir.
Q Where did you live prior to that time? A In Mississippi. I was born and raised there.
Q You lived there all your life until three years ago.
A I was born and raised there until three years ago, when I came to Shawnee.
Q What part of Mississippi did you live in? A Talla, McCoo; was my post office. I was born in three miles of McCoo and raised there.
Q Did you ever maintain a residence in the Indian territory?
A No sir.
Q How much Choctaw blood did you claim? A I don't know; I suppose it will be about a 32nd.
Q What is your father's name? A William Henry Smith.
Q Is he now living? A Yes sir.
Q What is your mother's name? A Whily Smith.
Q Is your mother living, A She is living.
Q Through which one of your parents do you claim your Choctaw blood. A Through her.
Q Your mother? A Yes sir.
Q Is your mother's name on any tribal rolls of the Choctaw Nation?
A No sir, I don't think it is, but her peeples names are.
Q We are talking about your mother? A No, I don't think it is; I don't know; I am not sure about that. I never have examined the rolls myself.
Q Has your mother ever been recognized by the tribal authorities in the Indian Territory as a citizen of the Choctaw Nation? A N
A No sir, she never was here.
Q Is your name on any Choctaw Rolls of the Choctaw Nation?
A No sir, I don't suppose it is.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, never did.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation by any official act of their National Council as a citizen of that Nation? A No sir this is the first time I ever made application of any kind.
Q Did you, or anyone in your behalf in 1896 make application to the Commission for citizenship in the Choctaw Nation under the

#2

act of June 10th, 1896? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States court in Indian Territory?

A No sir.

Q Have you ever made any application to either the tribal authorities of the Choctaw Nation or the authorities of the United States to be enrolled as a citizen of the Choctaw Nation? A No sir, never have; this is my first.

Q The first application of any description? A Yes sir.

Q you are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe you are entitled to be identified by this Commission as a Choctaw Indian, and entitled to rights in the Choctaw Nation? A Because I have the blood in me; that is my forefathers had, and they lived in Mississippi, they were born and raised there, and my forefathers were raised right there among the Choctaws, and I don't know, but I understand they took land in the Choctaw grant or something of that kind; just how much it was or anything of that kind I don't know; it was the understanding there that they took the land; I don't know where or how much or anything about that.

Q You make your application under the provision of the 14th article of the treaty of 1830. A Yes sir.

Q Have you any proof showing that any of your ancestors ever complied with the provisions of that treaty? A No sir, I haven't at present, but I can get it. I haven't any affidavits here at all, but I can get it from old citizens there that knew all about the circumstances. Of course I will have to get those affidavits and present them.

Q What is the name of your ancestor that resided in Mississippi in 1830, at the time there was a treaty entered into between the United States and the Choctaw Indians and who was a member of the Choctaw Indians at that time?

A It was Henry Fancher.

Q Have you any evidence that he was a recognized member of the Choctaw Indians in 1830? A I haven't at the present time, but I can get it; I haven't any affidavits at all at present.

Q Did any of your ancestors ever receive or claim any land in Mississippi as a beneficiary under the 14th article of the treaty of 1830? A I understand they did, but how much or what it was I don't know.

Q Have you any documentary evidence showing that was a fact? A No sir, I haven't a thing.

Q Do you make any claim by any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir, that is all.

Q Are you married? A Yes sir.

Q What is your wife's name? A Mannie E. Smith.

Q How old is she? A She is 20 years old.

Q Is she a white woman? A Yes sir.

Q Are you making claim for her? A Yes sir.

Q What do you claim her to be? A The same as myself.

Q Claim for her as an intermarried Mississippi Choctaw? A Yes sir, I suppose so.

Q What is your wife's father's name?

A His name is Beden Eslick.

Q Is he living? A Yes sir.

Q What is your wife's mother's name? A Martha Eslick.

Q They are both white people? A Yes sir.

Q They never made any claim to Indian citizenship by blood? A No

#3

sir, haven't; If they ever did, I don't know it.

Q Where did you marry your wife? A In Shawnee.

Q When? A The 27th of June 2 years ago.

Q In 1898? A Yes sir.

Q Have you your marriage license with you? A I have it at home.

Q It will be necessary for the Commission to be supplied with evidence of the marriage of your wife, with reference to her application as an intermarried Choctaw; and also in the matter of the identification of your minor child.

A I will send it to you.

Q Have you any children? A One child.

Q What is its name? A Marcellus H. Smith.

Q How old is this child? A He was born January 27th this year; 1900.

Q About 10 months old? A Nine months old the 27th of last month.

Q Is that all the children you have? A All the child I have.

Q You are the father of this child? A Yes sir.

Q Mannie E Smith is the mother? A Yes sir.

Q The child lives with you at your home? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A No sir, I believe not.

Q Is there any written evidence you desire to offer to the Commission in support of your application? A No sir, none whatever I believe.

Q Will there be none? A None that I knew of at the present time. except I will get some affidavits.

Q How much time do you want? A Two or three weeks.

(By the Commission)

Permission is granted the applicant to file additional written testimony in support of this application provided the same is offered for filing with the Commission within 20 days from this date.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as a Mississippi Choctaw, and the application you make on behalf of your wife as an intermarried Mississippi Choctaw, will be mailed to you in writing in the near future, at your present post office address.

E. Hastain, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 22nd day of Nov. 1900, and that the above and foregoing is a true, full and correct transcript of his stenographic notes in said cause.

Subscribed and sworn to before me this 30 day
of November 1900, at Muskogee, Indian Territory.

E. Hastain
Guy L. V. Emerson
Notary Public

Muskogee, Indian Territory, November 13, 1900.

Marcellus E. Smith,
Post Office Box 237,
Shawnee, Oklahoma Territory.

Dear Sir:

The Commission is in receipt of your letter of the 11th instant enclosing marriage certificate of M. E. Smith and Miss Mayme Felick and the same has been duly filed with the records of this Commission in the matter of your application for the identification of yourself, your wife and your child as Mississippi Chaptaws.

Yours truly,

Acting Chairman.

M. C. R-988

M.C.R. 988.

COPY.

Muskogee, Indian Territory, January 30, 1903.

Marcellus E. Smith,
P. O. Box 447,
Shawnee, Oklahoma.

Dear Sir:

You are hereby advised that on the 30th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry Middleton Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry Middleton Smith, et al.,	M.C.R. 1178
Elmer A. Smith, et al.,	M.C.R. 990
Emily Smith,	M.C.R. 993
Marcellus E. Smith, et al.,	M.C.R. 988
William C. Smith, et al.,	M.C.R. 1128
Albert Sydney Wade,	M.C.R. 1177
Henry G. Fancher, et al.,	M.C.R. 1632
Mary Susan Power, et al.,	M.C.R. 1637
Emily A. Smith, et al.,	M.C.R. 1638
Alice Bowie, et al.,	M.C.R. 1753
Florence Bailey, et al.,	M.C.R. 1758
Mary Power,	M.C.R. 1759
Christopher Columbus Fancher, et al.,	M.C.R. 1770
James Munroe Power, et al.,	M.C.R. 1840
Jeremiah H. Power, et al.,	M.C.R. 1841.

These applications were made under the provision of the Act of Congress of June 28, 1898 (30 Stats., 496), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

M. H. S. # 2.

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry Middleton Smith, Myrtie Belle Smith, Benjamin Miller Smith, Charley Eugene Smith, Lorena Elvenia Smith, Laura Edna Smith, William Henry Smith, Elmer Athalone Smith, Elmer A. Smith, Jessie Forehand Smith, Emily Smith, Marcellus E. Smith, Marcellus H. Smith, William C. Smith, Baron A. Smith, St. Clair Smith, Willis A. Smith, Albert Sydney Wade, Henry G. Fancher, Martha Ann Fancher, Prusa Lillian Fancher, Estrella Fancher, Smith Fancher, Mary Susan Power, Ruby Power, Lucy Power, Fannie Power, Permelia Power, Emily A. Smith, Birtie Smith, Alice Bowie, Robert Fancher Bowie, Edna Bowie, Florence Bailey, Ida Bailey, Ola Bailey, Mary Power, Christopher Columbus Fancher, Mary Fancher, Henry Fancher, James Monroe Power, James Thomas Power, Foster Power, Emmett Power, Mary Power, Lile Power, Kate Power, Jeremiah H. Power, Flossie Nora Power, Tillie Godale Power, Sellars McAlister Power and Robert Power, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused and it is so ordered.

It is the further opinion of this Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage and that the application made by Marcellus E. Smith for the identification of his wife, Nannie E. Smith, as an intermarried Mississippi Choctaw should therefore be refused and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

Fame Dixby.
Acting Chairman.

Registered.

M C R-988

COPY.

Muskogee, Indian Territory, August 8, 1903.

Marcellus E. Smith,

Box 447

Shawnee, Oklahoma.

Dear Sir:

You are hereby notified that on the 24th day of July 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry Middleton Smith, et al., of which decision you were advised by registered mail on the 30th day of January, 1903.

Respectfully,

(S. G. F. L.)

T. B. Needles.

Commissioner in Charge.

No. 988

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Marcellus E. Smith.

Age 37 Blood 1/32.

Post Office, Shawnee, O. O.

Father: William H. Smith ✓

Mother: Emily Smith ✓

Claims through mother.

WIFE: Mamie E. Smith 20.

FATHER: Boden Eslick. ✓

MOTHER: Martha Eslick ✓

Children:

Marcellus H. Smith 9 mo.
(Forehand)

Makes claim for
wife Mamie E. Smith.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

 ACTING CHAIRMAN.

Marcellus E. Smith

DECISION RENDERED: JAN 30 1903

UNITED STATES DEPARTMENT OF JUSTICE

JAN 31

JAN 31

UNITED STATES DEPARTMENT OF JUSTICE

FILE

1178

UNITED STATES DEPARTMENT OF JUSTICE

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UNITED STATES DEPARTMENT OF JUSTICE

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Choc. MCR 989

Mary M. Fenley

See MCR 948

MCR 989

APPLICATION AS
A MEMBER OF CHOCTAW

Mary M. Fenley, et al.,

REFUSED

DECISION RENDERED. OCT 25 1902

NOTICE OF DECISION MAILED APPLICANT. OCT 25 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS. OCT 25 1902

RECORD FORWARDED DEPARTMENT. NOV 11 1902

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 21 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. MAR 31 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. MAR 31 1903

REFER TO M. C. R. 948

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 989.

In the matter of the application for identification as Mississippi Choctaw, which is made by Mary M. Fenley in her own behalf and on behalf of her minor children. Mary M. Fenley, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Mary M. Fenley.
Q What is your age? A 27.
Q How much Choctaw blood do you claim? A 1/16.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you lived in Ardmore? A We lived there 8 years.
Q You and your husband and family? A Yes sir.
Q Where did you live before you lived there? A We lived further up in the Nation.
Q How long did you live in the Nation? A 13 years.
Q Before that where did you live? A Texas.
Q How long in Texas? A I do not remember.
Q Ever live in Mississippi? A No sir.
Q What is your father's name? A R. L. Adams.
Q Living? A Yes sir.
Q What is the name of your mother? A Nancy Adams.
Q Is she living? A Yessir.
Q Under which of your parents do you claim your Choctaw blood? A My father.
Q Is the name of your father on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Has he ever made application for admission to membership in the Choctaw Nation to the tribal authorities? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a member of that Nation? A No sir.
Q Have you ever made application for citizenship in this Choctaw Nation either to this Commission, acting under the law of June 10, 1896, or to the tribal authorities? A No sir.
Q You have never been admitted either, to membership in the Choctaw Nation by judgment of the United States Court? A No sir.
Q This is the first application you have ever made for identification as a Mississippi Choctaw? A Yes sir.
Q You now make application for yourself and children? A Yes.
Q And this is the first application that has ever been made for them? A Yes sir.
Q What evidence have you to offer the Commission that you have Choctaw blood, and are a lineal descendant from a Mississippi Choctaw—anything more than what has been told you? A Yes sir.

- Q You have been told that, I presume? A Yes sir.
- Q Who told you that you had an ancestor who was a Mississippi Choctaw? A My father.
- Q Anybody else in the family besides your father? A Well, my mother.
- Q I suppose they talked about it? A Yes sir.
- Q Have you any family records, or Bible records or anything of that kind? A No sir.
- Q What is the name of the ancestor who lived in Mississippi under whom you claim the right to be identified as a Mississippi Choctaw? A Johnson.
- Q What is the full name? A I don't remember.
- Q What relation was he to your father? A Was she?
- Q It was a woman? A Yes sir, my grandmother.
- Q Your father's mother? A Yes sir.
- Q And the name was Johnson, you think? A Yes sir.
- Q Did she ever take advantage of the 14 article of the treaty of 1830? A I do not know.
- Q Do you know anything about that article or treaty? A No.
- Q You do not know whether she complied with its provisions? A No sir, I do not know.
- Q Do you claim under article 14 of the treaty of 1830 now? A Yes sir.
- Q Do you claim under any other article of that treaty? A No sir.
- Q Do you know whether your grandmother Johnson ever received any land in Mississippi as a beneficiary under article 14 of the treaty of 1830? A No sir, I do not know.
- Q Do you know whether she received land in Mississippi from the United States Government? A No sir.
- Q Do you know whether she ever made any application for any land? A No sir.
- Q Are you married? A Yes sir.
- Q What is the name of your husband? A A. L. Fenley.
- Q When and where were you married to him? A Ardmore, 1893, 4th day of January.
- Q Have you your marriage license and certificate? A Yes sir.
- Q Wish to procure them now? A No sir.
- Q Have you any affidavits or written testimony of any kind that you would like to introduce and make a part of your case at this time?
- Attorney:
Attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.
- Commission: Motion of counsel granted.
- Q Have you any children you wish to make application for? A Yes sir.
- Q Minors and unmarried? A Yes sir.
- Q What is the name of the oldest? A Pearle Fenley, 6 years.
- Q What is the name and age of the next? A Robert Fenley, two years old.
- Q A. L. Fenley is the father of these two children? A Yes sir.
- Q And you are their mother? A Yes sir.
- Q The basis of their claim is identical with yours? A Yes sir.
- Q Is there anything further you would like to say in support of your application? A No sir.
- The decision of the Commission in regard to this

application which you make for yourself and your minor children will be mailed to you in writing at your present post office address, in the near future.

—0—

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on this the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this
4 day of November, 1900.

Guy L. Emerson

Notary Public.

Muskogee, Indian Territory, November 14, 1900.

Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 13th instant enclosing petitions of Robert L. Adams, Mary M. Fenley and Ella E. Masley, offered by you for filing with the applications of these parties for identification as Mississippi Choctaws, and the same have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

M. C. R-948
M. C. R-989
M. C. R-991

Waskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,
Ardmore, Indian Territory,
Gentlemen:

The Commission is in receipt of your letter of March 11,
inclosing papers as follows:

Marriage license and certificate between Mr. A. L. Penley
and Miss Mary Adams, to be filed with the application of Mary M. Pen-
ley et al. for identification as Mississippi Choctaws.

Certificate of A. E. Bailey, Clerk of Circuit Court, Web-
ster County, Mississippi, as to license of marriage issued to Mr. W.
A. Crowley and Miss Belle Vaughn, for filing with the application for
identification as Mississippi Choctaws of William A. Crowley, et al.

Certified copy of marriage license and certificate between
Mr. William R. Crowley and Miss Nancy H. Scholar, to be filed with
the claim of Nancy H. Crowley et al. for identification as Mississ-
ippi Choctaws.

The papers have been duly filed with the several names
named above.

Yours truly,

Acting Chairman.

MC 939
MC 935
MC 989

M C R 989

Muskogee, Indian Territory, October 25, 1902.

Mary M. Fenley,
Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 25th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Robert L. Adams, et al., embracing the following applications for identification as Mississippi Choctaws:

Robert L. Adams, et al.,	M.C.R. 948
Mary M. Fenley, et al.,	M.C.R. 989
Emma E. Basley,	M.C.R. 991

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Robert L. Adams, Almeda Adams, Arizona Adams, Grover Cleveland Adams, Nettie May Adams, Cera Lee Adams, Robert Jesse Adams, Mary M. Fenley, Pearl Fenley, Robert Fenley and Ella E. Basley, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their

M M F - - 2

identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

C. R. Brown

Commissioner in Charge.

Registered.

COMMISSIONERS:
TAMM MIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 989

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 31, 1903.

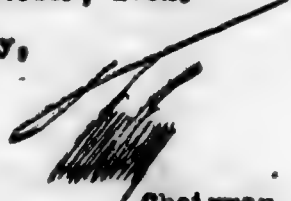
Mary M. Fenley,

Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that on the 21st day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Robert L. Adams, et al., of which decision you were advised by registered mail on the 25th day of October, 1902.

Respectfully,


Chairman.

Department of the Interior.

Commissioner of the Five Civilized Tribes,
MUSKOGEE, IND. TERR.



OFFICIAL BUSINESS.

Penalty for private use, \$300.

Mary M. Peasey,

~~Address, Muskogee, Ind. Terr.~~

Return to writer unclaimed.



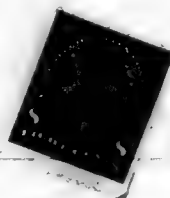


DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 29 1903

CHAIRMAN



762
734



Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

3332
12/19

Mary M. Fenley,

~~Admore, Indian Territory.~~

REPORT OF THE BOARD
TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 1902

[Signature]
SPECIAL CHAIRMAN

REGISTERED
DEC 3 1902
MUSKOGEE, IND. TER.

REGISTERED
NOV 2 1902
ARMED L. T.

Choc. MCR 990

Elmer A. Smith

MCR 990

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOV. 5th, 1900.

In the matter of the application for identification as a Mississippi Choctaw of Elmer A. Smith and his minor child:

ELMER A. SMITH, being duly sworn, testified as follows:

(By the Commission)

- Q What is your name? A Elmer A. Smith.
Q What is your age? A 32.
Q What is your post office address? A Shawnee, Oklahoma Territory.
Q You are a resident of Oklahoma? A Yes sir.
Q How long have you resided there? A Since January 1897.
Q You have maintained a continuous residence there since 1897?
A Yes sir.
Q Where did you live prior to that time? A In Mississippi.
Q How long did you live in Mississippi? A I was born in 1868 and stayed there until 1897.
Q You maintained a continuous residence in Mississippi until the time you moved to Oklahoma. A Yes sir.
Q Did you ever live in the Indian Territory? A No sir, never have lived in the Indian Territory.
Q How much Choctaw blood do you claim? A About 1/32 I suppose.
Q What is your father's name? A William Henry Smith.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Emily Smith.
Q Is she living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw blood? A Through my mother.
Q Is your mother's name on any tribal rolls? A Not that I know of.
Q Was she ever recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A Not that I know of.
Q Is your name on any tribal rolls of the Choctaw Nation? A No sir.
Q Did you ever make application to the Choctaw tribal authorities as a citizen there of? A I did not.
Q Did you or anyone on your behalf in 1897, make application to this Commission for citizenship in the Choctaw Nation, under an act of Congress of June 10, 1897? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal? A I have not.
Q Have you ever prior to this time made any application through the tribal authorities of the Choctaw Nation or the authorities of the United States for citizenship as a Choctaw? A I have not.
Q This is the first application of any description? A Yes sir.
Q You are now making application for identification as a Mississippi Choctaw. A Yes sir.
Q Why do you believe you are entitled to be identified by this Commission as a Choctaw Indian, entitled to take lands under the provisions of the treaty of 1830, article 14? A I have always been taught to believe that my people had the blood in them, and were entitled to the rights; that is the only reason that I could give.
Q You are making claim under the provisions of article 14 of the treaty of 1830? A Yes sir. Di
Q Did any of your ancestors ever comply with the provisions of article 14 of the treaty of 1830?
A I don't know.

#2.

- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, who was recognized as a member at that time? A Henry Pancher.
- Q Have you any evidence of the fact he was a recognized member of the Choctaw tribe of Indians in 1830? A Not to my certain knowledge only I have been taught to believe that.
- Q Did any of your ancestors ever receive or claim any land in Mississippi as a beneficiary under the provisions of the 14th article of the treaty of 1830? A I don't know, I am sure; I have understood that they had land I don't know how much it was.
- Q The land that your ancestors held in Mississippi, did they receive as a grant from the United States government as a beneficiary under the provision of article 14 of the treaty of 1830? A I don't know.
- Q What relation is Henry Pancher to you? A Great grand father.
- Q Have you any evidence showing ~~xxx~~ this fact? A Of course, I will have evidence later, but haven't it at present.
- Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A My present wife's name is Lea.
- Q Is she the mother of your child? A No sir, the mother of the child is dead; I married the second time.
- Q You are not making any claim for your present wife? A No sir.
- Q What is the name of your deceased wife, who is the mother of your child? A Jessie Forehand Smith.
- Q She is ~~and~~ dead is she? A Yes sir.
- Q When did you marry her? A The first of July, 1895.
- Q Where? A In Georgia.
- Q Have you your marriage license? A No sir.
- Q It will be necessary for the Commission to be supplied with the marriage license or certificate or other evidence of marriage in the matter of the application for identification of your child.
- Q Was she a white woman? A Yes sir.
- Q Did she ever make any claim to Indian citizenship? A No sir.
- Q What is your child's name? A Jessie Forehand Smith.
- Q How old is she? A Four years old.
- Q You are the father of this child? A Yes sir.
- Q Jessie F. Smith is the mother? A Yes sir.
- Q The child is in your custody and has always lived with you? A No sir, not in my custody.
- Q Where is it? A In Georgia with its grand parents at the present time.
- Q What is it doing there? A Its mother is dead and its grand mother is raising it.
- Q How did the grand parents obtain the custody of this child? A By my consent; I consented that they should raise it.
- Q Has there been any legal proceeding giving them custody? A No sir.
- Q You really are the custodian of the child and the natural guardian? A Yes sir.
- Q Is there any additional statement you desire to make in support of your application? A Nothing only written application, and the affidavits I will offer.
- Q How much time do you want to offer? A 15 or 20 days or 30.

#3.

Q Permission is granted the applicant to offer additional written testimony in support of this application, provided the same is offered for filing with the Commission in 20 days from the date hereof.

There is offered in evidence the original petition of Elmer A. Smith, which is filed and made a part of the record in this case.

(By the Commission)

The decision of the Commission as to your application and the application made on behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in the near future, in writing, at your present post office address.

E. Hastain, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 22nd day of Nov. 1900, and that the above and foregoing is a true, full and correct transcript of his stenographic notes in said cause.

E. Hastain

Subscribed and sworn to before me this 30 day of November, 1900 at Muskogee, Indian Territory.

Guy L. Emerson
Notary Public

M.C.R. 990.

COPY.

Muskogee, Indian Territory, January 30, 1903.

Elmer A. Smith,
P. O. Box 121,
Shawnee, Oklahoma.

Dear Sir:

You are hereby advised that on the 30th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry Middleton Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry Middleton Smith, et al.,	M.C.R. 1178
Elmer A. Smith, et al.,	" 990
Emily Smith,	" 993
Marcellus E. Smith, et al.,	" 998
William O. Smith, et al.,	" 1128
Albert Sydney Wade,	" 1177
Henry G. Fancher, et al.,	" 1622
Mary Susan Power, et al.,	" 1627
Emily A. Smith, et al.,	" 1628
Alice Bowie, et al.,	" 1753
Florence Bailey, et al.,	" 1758
Mary Power,	" 1759
Christopher Columbus Fancher, et al.,	" 1770
James Munroe Power, et al.,	" 1840
Jeremiah H. Power, et al.,	" 1841.

These applications were made under the provision of the Act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

E. A. S. # 2.

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry Middleton Smith, Myrtie Belle Smith, Benjamin Miller Smith, Charley Eugene Smith, Lorena Elvenia Smith, Laura Edna Smith, William Henry Smith, Elmer Athalone Smith, Elmer A. Smith, Jessie Forehand Smith, Emily Smith, Marcellus E. Smith, Marcellus H. Smith, William C. Smith, Baron A. Smith, St. Clair Smith, Willia A. Smith, Albert Sydney Wade, Henry G. Fancher, Martha Ann Fancher, Fruza Lillian Fancher, Estrella Fancher, Smith Fancher, Mary Susan Power, Ruby Power, Lucy Power, Fannie Power, Permelia Power, Emily A. Smith, Birtie Smith, Alice Bowie, Robert Fancher Bowie, Edna Bowie, Florence Bailey, Ida Bailey, Ola Bailey, Mary Power, Christopher Columbus Fancher, Mary Fancher, Henry Fancher, James Munroe Power, James Thomas Power, Foster Power, Emmett Power, Mary Power, Lile Power, Kate Power, Jeremiah H. Power, Flossie Nora Power, Tillie Godsley Power, Sellars McAlister Power and Robert Power, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused and it is so ordered.

It is the further opinion of this Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage and that the application made by Marcellus E. Smith for the identification of his wife, Mannie E. Smith, as an intermarried Mississippi Choctaw should therefore be refused and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tame Dancy
Acting Chairman.

Registered.

M CR-990

COPY:

Muskogee, Indian Territory, August 8, 1903.

Elmer A. Smith,
Box 121
Shawnee, Oklahoma,

Dear Sir:

You are hereby notified that on the 24th day of July 1903 the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry Middleton Smith, et al., of which decision you were advised by registered mail on the 30th day of January, 1903.

Respectfully,

E. B. Heddes.

Commissioner in Charge.

M C R 990

Muskogee, Indian Territory, December 8, 1903.

H. C. Thompson,
Attorney at Law,
Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd ultimo, in which you state that you have a client in Texas by the name of Smith who desires to make application for identification as a Mississippi Choctaw; that he has a brother by the name of Elmer Smith, of Shawnee, Oklahoma, who is already "on the rolls", and you ask to be advised relative to making such application.

In reply your attention is invited to the following provision of the Act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement."

Under the above legislation the Commission is now without authority to receive or consider the application of any person for identification as a Mississippi Choctaw.

Relative to the Mississippi Choctaw application of Elmer Smith, of Shawnee, Oklahoma, you are advised that on July 24, 1903,

H C T 2

the Secretary of the Interior approved the decision of the Commission refusing the several applications included in the consolidated Mississippi Choctaw case of Henry Middleton Smith, et al., of which the application of Elmer Smith is a part. The Commission now considers said case closed.

Respectfully,

Chairman.

No. 990

For Identification as a Mississippi Choctaw.

Date NOV -5 1900

Name Oliver A. Smith.

Age 32. Blood 1/32.

Post Office, Shawnee, O. T.

Father: William H. Smith

Mother: Emily Smith

Claims through

WIFE: Jessie G. Smith - dead.

(No claim for same)

Children:

Jessie B. Smith

R. 990

Elmer. A. Smith et al

DECISION RENDERED. JAN 30 1880

1178

Choc. MCR 991

Ella E. Easley

See MCR 948

MCR 991

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., NOVEMBER 5, 1900.

—o—

NO. 991.

In the matter of the application for identification as a Mississippi Choctaw of Ella E. Easley, which she makes in her own behalf. Ella E. Easley, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Ella E. Easley.
Q What is your age? A 20.
Q How much Choctaw blood do you claim? A 1/16.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you lived in Ardmore? A 8 years.
Q Where did you live before you lived in Ardmore?
A I lived further up in the Nation.
Q How long have you lived in the Nation? A 12 years.
Q Where did you live before that? A In Texas.
Q How long in Texas? A I don't know.
Q What is your father's name? A R. L. Adams.
Q Living? A Yes sir.
Q What is the name of your mother? A Nancy Adams.
Q Living? A Yes sir.
Q Under which of your parents do you claim your Choctaw blood?
A My father.
Q Claim just for yourself? A Yes sir.
Q Is the name of your father on the tribal rolls of the Choctaw Nation? A No sir.
Q Has he ever been recognized as a citizen of the Choctaw Nation by the tribal authorities of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever been recognized as a citizen of that Nation by the tribal authorities? A No sir.
Q Have you ever made application for citizenship in the Choctaw Nation, either to the Dawes Commission acting under the law of June 10, 1896, or to the Choctaw tribal authorities? A No sir.
Q You have never then been admitted to citizenship by the Choctaw Nation or by judgment of the United States Court on appeal from the decision of this Commission, or the Choctaw tribal authorities? A No sir.
Q This is the first application that you have ever made?
A Yes sir.
Q How do you know you are a Mississippi Choctaw? A I have always been taught that.
Q Who told you? A My father.
Q You claim through him? A Yes sir.
Q Did he ever tell you the name of the ancestor who lived in Mississippi under whom you now claim? A Yes sir.
Q What name? A Johnson.
Q Is that a man's name or a woman's? A Well that is her sir

name.

- Q Do you know her other name? A No sir, I do not.
Q Man or woman? A Woman.
Q What relation was she to your father? A His mother.
Q Well, did your father's mother live in Mississippi in 1830?
A Yes sir. I don't know.
Q Do you know whether she took advantage of article 14 of the treaty of 1830? A No sir.
Q Did you ever read article 14 or have it explained to you?
A No sir.
Q Did you ever have the provisions of that whole treaty explained to you? A No sir.
Q Do you know whether your grandmother under whom you claim the right to be identified as a Mississippi Choctaw ever received land in Mississippi under the provisions of the 14 article of the treaty of 1830? A No sir.
Q Do you know whether she ever held any land there at all?
A No sir.
Q You are not married? A Yes sir.
Q What is the name of your husband? A J. A. Easley.
Q Have you any children? A No sir.
Q Have you any records or affidavits of any kind, or any other matter that you wish to introduce here now and make a part of your application? A (No answer).

Attorney:

I would like to have 15 days to file affidavits in support of this application.

Commission:

Motion granted.

- Q Is there anything further that you would like to state in support of your application? A No sir.
Q Your marriage license and certificate will be filed at the same time with your other papers? A Yes sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

—o—

Kate De Bord, being first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes, of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

14 day of November, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, November 14, 1900.

Hudson & Arnold,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 13th instant enclosing petitions of Robert L. Adams, Mary E. Penley and Ella R. Basley, offered by you for filing with the applications of these parties for identification as Mississippi Choctaws, and the same have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

M. C. R-946
M. C. R-989
M. C. R-991

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Armore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing papers to be filed as follows:

Marriage license and certificate between Mr. N. G. Nickels and Miss I. B. Cummings, to be filed in support of the application of Ida Blanch Nickels et al. for identification as Mississippi Choctaws.

Marriage license and certificate between J. A. Easley and Ella E. Adams, to be filed with the claim of Ella E. Easley for identification as a Mississippi Choctaw.

The licenses and certificates have been duly filed with the other records in these cases.

There was also inclosed in your letter certified copy of marriage license and certificate between Mr. William Reeves and Miss Clara C. Foster, which you state you desire to have filed with the claim of Clara C. Reeves. You are advised that our records do not show that any Clara C. Reeves ever appeared as an applicant for identification as a Mississippi Choctaw. The only Reeves on our record is Eliza C. Reeves, whose father's name was George Foster, and her mother Sarah A. Foster; her husband's name is William T. Reeves, and she makes application for herself and three minor children, Nora A.

Hudson & Arnold 2

Reeves, Ada B. Reeves and James A. Reeves. If this is the person who appears in the marriage license and certificate as Clara C. Foster, you will please explain this discrepancy in names. The marriage license is herewith returned to you. Upon receipt of more definite information in regard to this matter, the same will receive proper consideration.

Yours truly,

Acting Chairman.

MC 1069
MU 991
MC 987

COPY

M.C.R. 991

Muskogee, Indian Territory, October 25, 1902.

Ella

~~Emma~~ E. Masley,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 25th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Robert L. Adams, et al., embracing the following applications for identification as Mississippi Choctaws:

Robert L. Adams, et al.,	M.C.R. 948
Mary M. Penley, et al.,	M.C.R. 989
<i>Ella</i> Emma E. Masley,	M.C.R. 991

These applications were made under the provision of the act of Congress of June 23, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Robert L. Adams, Almeda Adams, Arizona Adams, Grover Cleveland Adams, Nettie May Adams, Cora Lee Adams, Robert Jesse Adams, Mary M. Penley, Pearle Penley, Robert Penley and Ella E. Masley, as Choctaw Indians entitled to rights in the Choctaw

EEH - - 2

lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Registered.

J. R. Brockbridge.
Commissioner in Charge.

M C R 991

COPY.

Muskogee, Indian Territory, March 31, 1903.

Ella E. Basley,

Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that on the 21st day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Robert L. Adams, et al., of which decision you were advised by registered mail on the 25th day of October, 1902.

Respectfully,

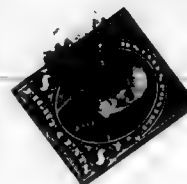
(SIGNED)

Tams Bixby.

-Chairman.



~~164~~
~~134~~



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Emma F. Easley,

~~Ardmore, Indian Territory.~~

991



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE PUBLIC LANDS
FILED
MAY 8 1903

CHAIRMAN.

Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Ella E. Masley,

~~Atmore, Indian Ter.~~

No. 991

For Identification as a Mississippi Choctaw.

Date

NOV 5 1900

Name

Ella E. Easley - ~~20~~

Age

20

Blood

1/16

Post Office,

Ardmore. J. T.

Father:

R. L. Adams. I

Mother:

Nancy " I

Claims through

Father.

Children:

NOV 10 1900

NOV 1900

Choc. MCR 992

Caroline Meeker

See MCR 827

MCR-992

Caroline Meeker, et al

REFUSED

DECISION RENDERED. JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.**

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

AUG 19 1902

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.**

AUG 29 1902

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.**

AUG 29 1902

REFER TO M. C. R. 827

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 992.

In the matter of the application for identification as Mississippi Choctaws of Caroline Meeker, which she makes in her own behalf and on behalf of her minor children. Caroline Meeker, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Caroline Meeker.
Q What is your age? A 41.
Q How much Choctaw blood do you claim? A $1/8$ I reckon, My father and mother died when I was small and I do not really know.
Q What is your post office address? A Turnersville, Corell County, Texas.
Q Have you ever lived in the Indian Territory? A No sir.
Q When did you come to the Indian Territory?
A Well just lately, we do not live here.
Q How long have you lived in Texas? A Well I reckon I have lived in Texas about 20 years.
Q Did you ever live in Mississippi? A No sir.
W What is the name of your father? A Jim Howard.
Q Is he living? A No sir.
Q What is the name of your mother? A Mary Howard.
Q Is she living? A No sir.
Q Under which your parents do you claim your Choctaw blood?
A Well, both.
Q Did your father ever live in the Choctaw Nation in the Indian Territory? A Yes sir.
Q Did your mother ever live in the Choctaw Nation in the Indian Territory? A Well Yes sir. No I wont say that neither, they never did live there.
Q Where did they live? A Yes sir they lived in the Choctaw Nation too, in Mississippi.
Q Then when you said they lived in the Choctaw Nation in the Indian Territory you were mistaken were you? A I don't know.
Q Did they live in the Indian Territory, or did the live in the state of Mississippi? A They lived in the state of Mississippi.
Q Did they ever remove from the state of Mississippi?
A Yes sir.
Q Where did they remove to? A Arkansas.
Q Where did they die? A My mother died in Arkansas; my father went to war and never lived to get back.
Q Were either your father or mother recognized by the tribal authorities of the Choctaw Nation in the Indian Territory as a member of that tribe? A Well I don't know.
Q Were they recognized in Mississippi do not know?
A Yes sir.

- Q Do you know that? A I do not know it really, I was not born then.
- Q Then when you say 'yes sir' you don't know. A No sir, I don't know.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Did you ever make application for membership in the Choctaw Nation as a member of that Nation? A No sir.
- Q Is this the first application that you ever made for identification as a Mississippi Choctaw? A No sir, I made one.
- Q Did you make one before? A Yes sir.
- Q When was that? A Well it was just lately.
- Q Tell me when? A Well, it has been about three weeks ago.
- Q Where did you make this application? A I made it at Ardmore.
- Q To whom? A Well, I could not tell you.
- Q Did you appear before anybody anywhere three weeks ago and give testimony as you are doing now? A No sir, I never did.
- Q Then you made out an application and handed it to your attorney? A Yes sir.
- Q This is the first time that you have appeared before anybody to give testimony? A Yes sir.
- Q This is your first application to the Dawes Commission? A Yes sir.
- Q And you never have made application before to anybody else? I made out papers and my childrens names and all on it.
- Q But that is all that you have done, is it? A Yes sir.
- Q Is this the first application that you have ever made then to the Dawes Commission or to the Choctaw tribal authorities for identification as a Mississippi Choctaw for yourself and children? AA Yes sir.
- Q How do you know that you are a lineal descendant of a Mississippi Choctaw? A Well just from what my people say.
- Q Did your father ever tell you that his people were Mississippi Choctaws? A My grandfather told me.
- Q Did your father tell you or your grandfather?
- A No sir my father was dead, but my grandfather told me.
- Q Did your mother ever tell you? A No sir, I cannot remember my mother.
- Q Then what you know is what your grandfather told you?
- A Yes sir.
- Q Your grandfather on your father's side or mother's side?
- A On my father's side.
- Q What is the name of the ancestor who lived in Mississippi under whom you now claim the right to be identified as a Mississippi Choctaw— was it your grandfather who lived in Mississippi? A Yes sir.
- Q Did he live there in 1830? A Yes sir.
- Q What name? A Abel Gower.
- Q This is the name of the ancestor who lived in Mississippi in 1830 under whom you claim the right to be identified?
- A Yes sir.
- Q Do you know whether he ever took advantage of the provisions of the 14 article of the treaty of 1830? A No sir.
- Q Do you know anything about the provisions of article 14?
- A No sir.
- Q Do you know whether you claim under the whole treaty or under article 14, or under article 19 of that treaty?
- A Yes sir, under the whole treaty.

- Q I suppose you claim under any treaty or under any article that will support your application? A Yes sir.
- Q Do you know whether your ancestor who lived in Mississippi received land from the United States Government as a beneficiary under article 14 of that treaty? A No sir, they didn't.
- Q Do you know whether that ancestor ever complied with the provisions of the 14 article of the treaty of 1830?
- A No sir, I do not know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Samuel Meeker.
- Q Is he living? A Yes sir.
- Q When and where were you married to him? A In Comanche County, state of Texas.
- Q When was that? A 1877.
- Q What day and month? A April 14.
- Q Have you your marriage license that you wish to introduce now? A No sir.
- Q Would you like to introduce them later? A Yes sir.
- Q Have you any records of any kind that you would like to present, or affidavits, and make a part of your case?
- Attorney:
- Here attorney for applicant asks leave to file marriage license and certificate and written evidence within 15 days from this date.
- Commission-
- Motion granted.
- Q Have you children you would like to make application for?
- A I have five children?
- Q Would you like to make application for them? A Of course I do not know whether it would be necessary for me to.
- Q Do you wish to make application for these children? A Yes.
- Q Are they minors and unmarried? A Yes sir.
- Q What is the name of the oldest? A Phillip.
- Q How old is Phillip? A He is 21.
- Q Is he full 21? A Yes sir.
- Q When was he 21? A Last May.
- Q I asked you whether these children were minors and unmarried and you said they were. A Well he is at home.
- Q He is over 21 years old? A Well he will be 21 his birthday and it is in May.
- Q May when? A This coming may.
- Q Phillip is under 21 then is he? A No sir.
- Q What is the name of the next? A Roderick.
- Q How old is Roderick? A He is 18.
- Q What is the name of the next? A Larance.
- Q How old is he? A 11.
- Q What is the name of the next? A Briettie Francis, she is 7 years old.
- Q What is the name of the next? A Carl.
- Q How old is Carl? A Four years old.
- Q Is that all? A Yes sir.
- Q Samuel Meeker is the father of these children?
- A Yes sir.

Q You the mother? A Yes sir.
 Q The basis of their claim is the same as yours? A Yes sir.
 Q Is there anything further you want to state in support of your application? A No sir, not that I know of.

The decision of the Commission in regard to this application which you make for the identification of yourself and minor children as Mississippi Choctaws will be mailed to you in writing at your present post office address in the near future?

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
 this 14 day of November, 1900.

Guy L. Emerson
 Notary Public.

Muskogee, Indian Territory, January 16, 1901.

Messrs Hudson & Arnold,
Ardmore, Indian Territory,
Gentlemen:

The Commission is in receipt of your letter of January 14,
inclosing marriage licenses to be filed in support of the following
applications for identification as Mississippi Choctaws:

992, Caroline Meeker et al.

974, Washington S. Perry, et al.

The papers have been filed with the other records in the cases.

Yours truly,

AB

Acting Chairman.

Muskogee, Indian Territory, January 24, 1901.

Messrs Hudson & Arnold,
Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 18,
inclosing papers to be filed with the following applications for
identification as a Mississippi Choctaw:

967, Billy Denton, et al.

992, Caroline Meeker, et al.

The papers have been filed as requested by you.

Yours truly,

Acting Chairman.

AB

COPY.

H.C.R. 992.

Muskogee, Indian Territory, July 19, 1902.

Caroline Meeker, *Lucas*
Turnerville, Indian Territory.

Dear Madam:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Elizabeth Kuykendall, et al., embracing the following applications for identification as Mississippi Choctaws:

Elizabeth Kuykendall, et al.,	H.C.R. 827
Ben W. Howard, et al.,	" 818
Caroline Meeker, et al.,	" 992

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

68 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Elizabeth Kuykendall, Frank Kuykendall, Ben F. Howard, Ernest T. Howard, Adel Howard, Annie Howard, Alice Howard, Caroline Meeker, Philip Meeker, Frederick Meeker, Larnace Meeker, Brettie Meeker and Carl Meeker, as Cheateau Indians entitled to rights in the Cheateau lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. B. Macaleo.
Commissioner in Charge.

Registered.

CO. M.C.R. 992.

Muskogee, Indian Territory, August 29, 1902.

Caroline Meeker,

Turnerville, Indian Territory. *Remailed Texas Sept 2. 1902*

Dear Madam:

You are hereby advised that on the 19th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Elizabeth Kuykendall, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Yours truly,

Acting Chairman.

No. 992

For Identification as a Mississippi Choctaw.

Date

NOV - 5 1900

Name *Caroline Meester -*

Age

41

Blood

1/18

Post Office,

Turnersville, Texas.

Father:

Jim Howard, d.

Mother:

Mary " d

Claims through

Claims under back-
parents.

Samuel Meester. l

Children:

~~*Philip*~~ _____

Philip _____

20

Roderick _____

18

Larance _____

11

Briette _____

7

Carl _____

4

Choc. MCR 993

Emily Smith

MCR 993

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOV. 5th, 1900.

In the matter of the application for identification as a Mississippi Choctaw of Emily Smith, who being duly sworn, testified as follows:

(By the Commission)

- Q What is your age? A 25.
- Q What is your post office address? A Wagoner, Indian Territory.
- Q Are you a resident of the Indian Territory? A I am, yes sir.
- Q How long have you resided here? A Since March, 1900.
- Q You have maintained a continuous residence in the Indian Territory since March, 1900? A Yes sir.
- Q Where did you live prior to that time? A Shawnee Oklahoma.
- Q How long did you live there? A Since January, 1898.
- Q Where did you live prior to that time? A Mississippi.
- Q How long did you live in Mississippi? A I was born and raised there.
- Q You lived there until the time you moved to Oklahoma? A Yes sir.
- Q What part of Mississippi did you live in? A The central part; Otulla County.
- Q How much Choctaw blood do you claim? A I really couldn't tell; 1/32 I suppose.
- Q What is your father's name? A Samuel Henry Smith.
- Q Is your father living? A Yes sir.
- Q What is your mother's name? A Emily Smith.
- Q Is your ~~father~~ mother living? A Yes sir.
- Q Through which one of your parents do you claim your Choctaw citizenship? A My mother.
- Q Was your mother's name ever on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Was she ever recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
- Q Is your name on any of the rolls of the Choctaw Nation? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for citizenship in the Choctaw Nation? A I have not.
- Q Have you ever been recognized by the tribal authorities of the Choctaw Nation by any of the official acts of their National Council as a citizen of that Nation? A No sir.
- Q Did you or anyone in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States court in Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of this Commission? A I have not.
- Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States as a citizen for enrollment in the Choctaw Nation? A I have not.
- Q This is the first application of any description? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe you are entitled to be identified by this Commission as a Choctaw, and to be entitled to rights in the Choctaw Nation under the provision of article 14 of the treaty of 1830?

#2

- A The only reason I have, I am a descendant from an old family that claimed to be Mississippi Choctaws--a lineal descendant.
- Q You are making your claim under the provision of article 14 of the treaty of 1830. A I couldn't tell you.
- Q What is the name of your ancestor who resided in Mississippi in 1830? A Henry Fancher.
- Q That was at the time the treaty was entered into between the United States and the Choctaw Indians in 1830. A Yes sir.
- Q Was Henry Fancher a recognized citizen of the Choctaw Indians in Mississippi at that time? A I don't know.
- Q Have you any evidence of the fact that he ever was recognized as a citizen of the Choctaw Indians? A No sir.
- Q Did Henry Fancher or any of your ancestors through whom you make claim to the right to identification ever claim or receive any lands in Mississippi, under article 14 of the treaty of 1830? A It is supposed they did, but I have no evidence they did.
- Q What relation was Henry Fancher to you? A I am a lineal descendant of his; I can't tell.
- Q You have evidence showing you are a direct lineal descendant? A Yes sir.
- Q Do you make claim by any other stipulations entered into between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A No sir.
- Q Have you been married? A No sir.
- Q Are you making any claim for anyone besides yourself? A No sir.
- Q This application is simply on your own behalf? A Yes sir.
- Q Is there any additional statement you desire to make in support of your case? A No sir.
- Q Is there any written evidence you desire to offer to the Commission in support of your claim? A No sir, not now.
- Q Will there be any? A Yes sir.
- Q How much time do you want in which to offer this additional evidence? A 20 days.

(By the Commission)

Permission is granted the applicant to file ~~additional~~ written evidence in support of her application provided the same is offered for filing with this Commission in 20 days from the date hereof.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future at your present post office address.

E. Hastain, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on 5th day of Nov. 1900, and that the foregoing is a true full and correct transcript of his stenographic notes in said cause.

Subscribed and sworn to before me this 30 day of Nov.
1900, at Muskogee, Indian Territory.

E. Hastain
Guy L. Emerson
Notary Public

*2.14.2
C.W.*

COPY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Henry Middleton Smith,
et al., for identification as Mississippi Choctaws, consolidating
the applications of:

Henry Middleton Smith, et al.,	M.C.R. 1176
Elmer A. Smith, et al.,	M.C.R. 990
Emily Smith,	M.C.R. 993
Marcellus E. Smith, et al.,	M.C.R. 988
William C. Smith, et al.,	M.C.R. 1128
Albert Sydney Wade,	M.C.R. 1177
Henry G. Fancher, et al.,	M.C.R. 1622
Mary Susan Power, et al.,	M.C.R. 1627
Emily A. Smith, et al.,	M.C.R. 1628
Alice Bowie, et al.,	M.C.R. 1753
Florence Bailey, et al.,	M.C.R. 1758
Mary Power,	M.C.R. 1759
Christopher Columbus Fancher, et al.,	M.C.R. 1770
James Monroe Power, et al.,	M.C.R. 1840
Jeremiah R. Power, et al.,	M.C.R. 1841

---: D E C I S I O N :---

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Henry Middleton Smith for himself and his seven minor children,
Myrtle Belle, Benjamin Miller, Charley Eugene, Lerena Elvenia, Laura
Edna, William Henry and Elmer Athalone Smith; by Elmer A. Smith for
himself and his minor child, Jessie Vorehand Smith; by Emily Smith
for herself; by Marcellus E. Smith for himself and his minor child,
Marcellus R. Smith; by William C. Smith for himself and his three

minor children, Baron A., St. Clair and Willia A. Smith; by Albert Sydney Wade for himself; by Henry G. Fancher for himself, his wife, Marthe Ann, and his three minor children, Fruza Lillian, Estrella and Smith Fancher; by Mary Susan Power for herself and her four minor children, Ruby, Lucy, Fannie and Permellia Power; by Emily A. Smith for herself and her minor child, Birtie Smith; by Alice Bowie for herself and her two minor children, Robert Fancher and Edna Bowie; by Florence Bailey for herself and her two minor children, Ida and Ola Bailey; by Mary Power for herself; by Christopher Columbus Fancher for himself and his two minor children, Mary and Henry Fancher; by James Munroe Power for himself and his six minor children James Thomas, Foster, Emmett, Mary, Lile and Kate Power; by Jeremiah H. Power for himself and his four minor children, Flossie Nora, Willie Godsley, Sellars McAlister and Robert Power, and by Marcellus E. Smith for the identification of his wife, Mannie E. Smith, as an intermarried Mississippi Choctaw, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants, or having married a descendant, of Henry (or Henry H. or Henry Haggard) Fancher, who is alleged to have been a Choctaw

Indian, degree of blood not positively stated, and to have resided in Mississippi in eighteen hundred and thirty.

It appears that there are more remote ancestors of some of the applicants than the one above stated in the persons of John Fancher and Richard Fancher but the testimony fails to disclose the relationship of said persons to all the applicants, or whether they all claim rights as Mississippi Choctaws through them, however in order that every possible right as Mississippi Choctaws which the applicants may possess shall be fully adjudicated the said John Fancher and Richard Fancher will also be considered as Choctaw ancestors of the applicants herein.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said John Fancher, or Richard Fancher or Henry (or Henry H. or Henry Haggard) Fancher, or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with

the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry Middleton Smith, Myrtle Belle Smith, Benjamin Miller Smith, Charley Eugene Smith, Lorena Elvania Smith, Laura Edna Smith, William Henry Smith, Elmer Athalone Smith, Elmer A. Smith, Jessie Forehand Smith, Emily Smith, Marcellus E. Smith, Marcellus H. Smith, William C. Smith, Baron A. Smith, St. Clair Smith, Willie A. Smith, Albert Sydney Wade, Henry G. Fancher, Martha Ann Fancher, Bruza Lillian Fancher, Estrella Fancher, Smith Fancher, Mary Susan Power, Ruby Power, Lucy Power, Fannie Power, Permelia Power, Emily A. Smith, Birtie Smith, Alice Bowie, Robert Fancher Bowie, Edna Bowie, Florence Bailey, Ida Bailey, Ola Bailey, Mary Power, Christopher Columbus Fancher, Mary Fancher, Henry Fancher, James Munroe Power, James Thomas Power, Foster Power, Emmett Power, Mary Power, Lile Power, Kate Power, Jeremiah H. Power, Flossie Nora Power, Tillie Goddley Power, Sellars McAlister Power and Robert Power, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused and it is so ordered.

It is the further opinion of this Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage and that the application made by Marcellus E. Smith for the identification of his wife,

8

Mannie E. Smith, as an intermarried Mississippi Choctaw should
therefore be refused and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED) Tams Bixby.
Acting Chairman.

(SIGNED) T. B. Needles.
Commissioner.

(SIGNED) C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory.
JAN 20 1903

Muskogee, Indian Territory, July 25, 1901.

Mr. R. J. Barton,

Wagoner, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant, in which you state that some time in October, 1900, your wife filed with this Commission, Muskogee, Indian Territory, an application for identification as a Mississippi Choctaw, but that since that time she has obtained additional proof as to her Choctaw blood and you desire to be advised if she will be allowed to introduce the same in evidence at this time.

Replying to your inquiry you are informed that it appears from our records that at Muskogee, Indian Territory, on November 5, 1900, Emily Smith, twenty-five years of age, of Wagoner, Indian Territory, made application to this Commission for identification as a Mississippi Choctaw. It is presumed that this is the person referred to in your letter as your wife. If she now desires to introduce additional testimony in support of her application, the same will be received by the Commission and given due consideration. This additional testimony can either be by witnesses in person or by duly executed depositions or affidavits.

If the Emily Smith above stated is now your wife and she goes

R. J. B.--2.

by the name of Emily Barton, it would be advisable that you supply the Commission with legal evidence of your marriage to this woman so that the same can be made a matter of record, and as authority for the changing of her name in her application from her maiden name to her present married name.

Yours truly,

Commissioner in Charge.

MCR 993

Muskogee, Indian Territory, August 20, 1901.

Mr. R. L. Barton,
Mounds, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 14, in which you enclose marriage license and certificate between R.L. Barton and Emily E. Smith, and affidavits of Mrs. P. A. Fancher, J. C. Fancher and William White, which you offer for filing in support of the application of Emily Smith, who appeared before the Commission at Muskogee, Indian Territory, November 5th, 1900 and who has since that date married R. L. Barton:

The papers have been filed and made a part of the record in this case, and will receive the consideration of the Commission in determining the rights of the applicant to identification as a Mississippi Choctaw.

Yours truly,

M.C. 993.

M.C.R. 993.

COPY.

Muskogee, Indian Territory, January 30, 1903.

Emily Smith, *Mounds, F. H. L. Benton*
Wagoner, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Henry Middleton Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Henry Middleton Smith, et al.,	M.C.R. 1178
Elmer A. Smith, et al.,	M.C.R. 990
Emily Smith,	M.C.R. 993
Marcellus E. Smith, et al.,	M.C.R. 988
William C. Smith, et al.,	M.C.R. 1128
Albert Sydney Wade,	M.C.R. 1177
Henry G. Fancher, et al.,	M.C.R. 1622
Mary Susan Power, et al.,	M.C.R. 1627
Emily A. Smith, et al.,	M.C.R. 1628
Alice Bowie, et al.,	M.C.R. 1753
Florence Bailey, et al.,	M.C.R. 1758
Mary Power,	M.C.R. 1759
Christopher Columbus Fancher, et al.,	M.C.R. 1770
James Munroe Power, et al.,	M.C.R. 1840
Jeremiah H. Power, et al.,	M.C.R. 1841.

These applications were made under the provision of the Act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-Seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

H. S. # 2.

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Henry Middleton Smith, Myrtie Belle Smith, Benjamin Miller Smith, Charley Eugene Smith, Lorena Elvenia Smith, Laura Edna Smith, William Henry Smith, Elmer Athalone Smith, Elmer A. Smith, Jessie Forehand Smith, Emily Smith, Marcellus E. Smith, Marcellus H. Smith, William C. Smith, Baron A. Smith, St. Clair Smith, Willia A. Smith, Albert Sydney Wade, Henry G. Fancher, Martha Ann Fancher, Fruza Lillian Fancher, Estrella Fancher, Smith Fancher, Mary Susan Power, Ruby Power, Lucy Power, Fannie Power, Permelia Power, Emily A. Smith, Birtie Smith, Alice Bowie, Robert Fancher Bowie, Edna Bowie, Florence Bailey, Ida Bailey, Ola Bailey, Mary Power, Christopher Columbus Fancher, Mary Fancher, Henry Fancher, James Munroe Power, James Thomas Power, Foster Power, Emmett Power, Mary Power, Lile Power, Kate Power, Jeremiah H. Power, Flossie Nora Power, Tillie Godsley Power, Sellars McAlister Power and Robert Power, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused and it is so ordered.

It is the further opinion of this Commission that under the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage and that the application made by Marcellus E. Smith for the identification of his wife, Mannie E. Smith, as an intermarried Mississippi Choctaw should therefore be refused and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

6819

Tamm Dixey.

Acting Chairman.

Registered.

M C R-993

COPY.

Muskogee, Indian Territory, August 8, 1903.

Emily Smith;

Wagoner, Indian Territory.

Emailed. Mounds. I T. Sept. 10, 1903.

Dear Madam:

You are hereby notified that on the 24th day of July 1903 the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Henry Middleton Smith, et al., of which decision you were advised by registered mail on the 30th day of January, 1903.

Respectfully,

SIGNED

T. B. Needles.
Commissioner in Charge.

No. 993

For Identification as a Mississippi Choctaw.

Date **NOV - 5 1900**

Name *Emily Smith*

Age *25* Blood *1/32*

Post Office, *Wagoner, I. O.*

Father: *William H. Smith* ✓

Mother: *Emily Smith* ✓

Claims through *mother.*

Children:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 5 1900

[Signature]
ACTING COMMISSIONER

R. J. Barton,
Wagoner, I.T.
July 17, 1901.

~~Rockford, Ill.~~
MOR 993, Emily Smith.

On November 5, 1900, Emily Smith, 25 years old, of Wagoner, I.T., whose father's name is William H. and mother Emily Smith, appeared before the Commission and made application for identification as a Mississippi Choctaw. It is thought that this is the person to whom R. J. Barton refers, and states that she is now his wife. If it is ascertained that she is the same party, please advise this office so that proper notation may be made of the change of name.

Atoka, I.T. July 19, 1901.
AB

Emily Smith

RECEIVED
DECISION RENDERED, JAN 30 1963

JAN 30 1963

JAN 30 1963

FEB 1 1963

FEB 1 1963

FEB 1 1963

FEB 1 1963

9/60: P. O. Knowlton
Case R. L. Bart.

1178

Choc. MCR 994

Julia E. Turner

MCR 994

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 994.

In the matter of the application for identification as Mississippi Choctaws of Julia E. Turner, which she makes in her own behalf and on behalf of her minor children. Julia E. Turner, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Julia E. Turner.
Q What is your age? A 34.
Q What is your post office address? A Wichita, Kansas.
Q Have you ever lived in the Indian Territory? A No sir.
Q How much Choctaw blood do you claim? A 1/4.
Q You just came here to make this application? A No sir.
Q You make this application for identification as a Mississippi Choctaw? A Yes sir.
Q Did you ever live in the state of Mississippi? A No sir.
Q Always lived in Kansas? A No, I have lived in Texas. I have been in Kansas 19 years, previous to that I lived in Texas.
Q What is your father's name? A Pleasant Haney.
Q What is the name of your mother? A Martha.
A Living or dead? A Dead.
Q Under which of your parents do you claim your Choctaw blood? A My mother.
Q Is the name of your mother on any of the Choctaw tribal rolls? A I was told the other day that it was.
Q I mean in the Indian Territory? A No. She was a native of Mississippi.
Q Did she ever remove from Mississippi? A She moved from Mississippi to Tennessee and from there to Texas and died in Texas.
Q Never lived in the Indian Territory? A No sir.
Q And you never have lived in the Indian Territory? A I was in the Oklahoma country.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Did you ever make application for citizenship in the Choctaw Nation? A No sir.
Q This is your first application for identification or enrollment? A No sir.
Q You never did appear before the Dawes Commission before? A No sir.
Q Or before any of the tribal authorities to be enrolled or identified? A No sir.
Q Then this is the first application that has ever been made for yourself or children? A Yes sir.
Q You now make application to be identified as a Mississippi

Choctaw? A Yes sir.

Q What proof have you that you are a lineal descendant of a Mississippi Choctaw? A Well from what my mother's brothers have said.

Q Is it family history? A Family history.

Q Have you any other proof except what you have heard in the family? A No.

Q No family records of any kind? A No sir.

Q No Bible records? A No. If I could find my step mother, I could get it.

Q What is the name of the ancestor who lived in Mississippi in 1830 under whom you claim the right to be identified as a Mississippi Choctaw? A I do not know whether mother lived there in 1830 or not.

Q What is the name of the ancestor under whom you claim?

A Ol Jones.

Q What relation was Ol Jones to your father? A He was my mother's brother.

Q Can you tell the name of your father's ancestor who lived in Mississippi? A No I cant.

Q Can you tell the name of your mother's father or mother?

A No.

Q Under what treaty or treaties do you claim the right to be identified now? A The whole treaty.

Q All the treaties? A Yes sir.

Q You do not claim under any particular treaty? A No sir.

Q Are you acquainted with article 14 of the treaty of 1830 or know of the provisions of that treaty? A No sir.

Q Do you know whether or not your ancestor under whom you claim the right to be identified now, received land in Mississippi under the provisions of the 14 article of the treaty of 1830? A No I do not.

Q Do you know whether these ancestors ever held any land in Mississippi or claimed any land in Mississippi under the provisions of that treaty? A No.

Q Are you married? A Yes.

Q What is the name of your husband? A Simpson R. Turner.

Q Is he living? A Yes sir.

Q When and where were you married to him? A Winfield, Kansas, the 23rd of December, 1886,

Q Have you your marriage license and certificate?

A No, I will forward it down here.

Q Have you any records or documents of any kind you wish to file?

Attorney:

Here attorney for applicant asks leave to file written evidence and marriage license and certificate within 15 days from the date of this application.

Commission:

Motion granted.

Q Have you any children you would like to make application for? A Three.

Q What is the name of the oldest? A Joe.

Q How old? A 9 years.

Q Next? A Cecil, she is 6.

Q Next? L A Loyd.

Q How old? A Three.

Q Simpson R. Turner, the father of these children?

A Yes sir.

Q You the mother? A Yes sir.

NO. 994—3—

Q The basis of their claim is the same as yours? A Yes sir.
Q Is there anything further that you would like to say?
A No sir.

The decision of the Commission in regard to this application which you make for the identification of yourself and children as Mississippi Choctaws, will be mailed to you in writing at your present post office address in the near future.

—o—

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 21/4 day of November, 1900.

Guy L. P. Emerson
Notary Public.

COPY.

Cum
C.O.W

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----|-----

In the matter of the application of Julia E. Turner,
et al., for identification as Mississippi Choctaws. M.C.R. 994.

--: DECISION :--

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Julia E. Turner for herself and her four minor children, Joe, Cecil, Loyd and Frank Earl Turner, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September

twenty-seventh, eighteen hundred and thirty, by reason of being descendants of John Patterson, who is alleged to have been a full blood Choctaw Indian.

It appears from the evidence submitted by the applicants that they claim from another Choctaw ancestor contemporaneous with John Patterson whose surname it is alleged was Jones prior to her marriage to John Patterson, who was the grand-mother of principal applicant, and was possessed of Choctaw blood, the degree thereof not stated, but as only the surname prior to marriage with John Patterson can be given, it is therefore impossible for the Commission to determine whether or not that ancestor was a beneficiary under the provisions of article fourteen of the treaty of "Dancing Rabbit Creek."

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said John Patterson, or ancestors less remote signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights

thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia B. Turner, Joe Turner, Cecil Turner, Loyd Turner and Frank Earl Turner, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNATURE)

Tams Bixby.

Acting Chairman.

(SIGNATURE)

I. B. Needles.

Commissioner.

(SIGNATURE)

C. B. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

FEB 4 1903

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--O--

In the matter of the application of Julia E. Turner, et al.,
for identification as Mississippi Choctaws, M.C.R. 994.

List of papers forwarded to the Secretary of the Interior
comprising the record in the above case.

	(Page)
Original application of Julia E. Turner, et al., to the Dawes Commission for identifi- cation as Mississippi Choctaws-----	1
Affidavit of birth of Frank Earl Turner-----	4
Affidavit of J. H. Alexander-----	5
Affidavit of J. B. Haney-----	6
Decision of the Commission refusing the application of Julia E. Turner, et al., for identification as Mississippi Choctaws-----	7

---O---

COPY.

M.C.R.994.

Muskogee, Indian Territory, February 4, 1902.

Julia E. Turner,
#711 South Market Street,
Wichita, Kansas.

Dear Madam:

You are hereby advised that on the 4th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the case of Julia E. Turner, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia E. Turner, Joe Turner, Cecil Turner, Loyd Turner and Frank Earl Turner, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen

J. E. T., 2.

days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Dixby

Acting Chairman.

Registered.

Miss. Choctaw 994

Muskogee, Indian Territory, May 28, 1902.

Mrs. Julia E. Turner,
711 South Market Street,
Wichita, Kansas,

Dear Madam:

Receipt is hereby acknowledged of your letter of May 24, in which you ask if J. E. Arnold has been disbarred from practice before the Commission, and state that you have a witness or two whose testimony you would like to offer in support of the application made by you for the identification of yourself and your three minor children as Mississippi Choctaws, and wish to be advised if it will be all right for you to send them before the Commission.

In reply to your letter you are informed that J. E. Arnold has been disbarred from practice before the Commission. You are further informed that if you have witnesses whose testimony you desire to offer in support of your application for identification as a Mississippi Choctaw, the Commission will hear their testimony in your behalf, provided they make personal appearance before the Commission within thirty days from this date.

Yours truly,

Commissioner in Charge.

Miss. Choctaw R 924

Muskogee, Indian Territory, July 12, 1902.

Julia E. Turner,
711 S. Market Street,
Wichita, Kansas,

Dear Madam:

Receipt is hereby acknowledged of evidence of the birth of Frank Earl Turner, infant son of Julia E. and Simpson R. Turner, born April 3, 1901, and the affidavits of the mother and the physician at the birth of this child have been accepted as evidence of his birth and have been filed with and made a part of your original application for the identification of yourself and your minor children as Mississippi Choctaws.

Yours truly,

Acting Chairman.

Miss. Choc. 994

Muskogee, Indian Territory, July 17, 1902.

P. D. St. John,
No. 128 N. Main St.,
Wichita, Kansas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant, enclosing the affidavit of J. C. Hancock which you offer for filing in support of the application of Julia R. Turner for the identification of herself and her minor children as Mississippi Choctaws; the same has been filed with the record in this case.

Yours truly,

Acting Chairman.

Miss. Choctaw R 994

Muskogee, Indian Territory, September 24, 1902.

J. E. Turner,
711 South Market Street,
Wichita, Kansas,

Dear Madam:

Receipt is hereby acknowledged of your letter of September 18, inclosing affidavit of J. E. Haney, which you offer in support of your application for the identification of yourself and children as Mississippi Choctaws. The same has been filed with the record in this case.

You also ask whether your marriage certificate has been received, and wish to know if any papers have been received from Hatley Haney from Graham, Indian Territory.

In reply you are advised that it does not appear from our records that your marriage certificate has been offered for filing in this case nor that any papers have been received in your case from Hatley Haney.

Respectfully,

Acting Chairman.

Miss. Choctaw R 994

Huskogoe, Indian Territory, July 3, 1902.

P. T. St John,
128 North Main Street,
Wichita, Kansas,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 30, inclosing a letter from L. C. Hancock to Julia E. Turner of Wichita, Kansas, an applicant to this commission for the identification of herself and her minor children as Mississippi Choctaws, which you ask to have filed with the record in her case. You also ask if evidence of the birth of Frank Turner, born April 3, 1901, has been filed with the Commission. In conclusion you ask for information regarding the status of this case.

In reply to your letter you are advised that it does not appear from our records that any evidence of the birth of Frank Turner has been submitted to the Commission. Our records show that on November 5, 1900, Julia E. Turner made application for the identification of herself and her minor children, Joe, Cecil and Lloyd Turner as Mississippi Choctaws. A blank application for the enrollment of infant children is herewith inclosed you upon which may be forwarded to the Commission evidence of the birth of Frank Turner. In having the same executed be careful to see that all blanks are filled out,

P.D.S. 2

all names written in full, and that the Notary Public before whom the affidavits are acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two disinterested witnesses.

The letter of L. C. Hancock is herewith returned, for the reason that it is neither an affidavit nor a deposition but merely the statement of a man not under oath. If Mrs. Turner insists on making this statement a part of the record in her case, it will be filed, but it is not in proper form to be considered as evidence in her case.

No decision has yet been reached nor opinion rendered relative to her application for the identification of herself and her minor children as Mississippi Choctaws. As soon as a decision is reached she will be notified of the action of the Commission and of the forwarding of the record in her case to the Secretary of the Interior for review.

Yours truly,

Commissioner in Charge.

AB 2-3
B.C.

COPY.

M.C.R.994.

Muskogee, Indian Territory, February 4, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 4th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the case of Julia E. Turner, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia E. Turner, Joe Turner, Cecil Turner, Loyd Turner and Frank Earl Turner, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Tame Bixby.

Acting Chairman.

Y.

Muskogee, Indian Territory, February 20, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Julia E. Turner, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of February 4, 1903.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

The applicants in this case are related to the applicants in the consolidated Mississippi Choctaw case of Hatley Haney, et al., decision in which was rendered by the Commission on August 7, 1902, and approved by the Secretary on October 22, 1902.

Respectfully,

(SIGNED)

Tama Dixby.

Acting Chairman.

Through the
Commissioner of Indian Affairs.

2 inclosures: M.C.R. 994

M O R 994

Muskogee, Indian Territory, March 16, 1903.

Julia Turner,
#711 South Market Street,
Wichita, Kansas.

Dear Madam:

Referring to your request to be advised the present status of the application made by you for the identification of yourself and minor children as Mississippi Choctaws, you are advised that the fifteen days from February 4, 1903, heretofore granted you within which to file arguments in support of your claim to be forwarded to the Secretary of the Interior, expired on February 19, 1903. On February 20, 1903, the record in your case, together with the decision of the Commission refusing your application, was transmitted to the Secretary of the Interior. You will be duly notified of such action as may be taken by him.

Respectfully,

Chairman.

Land
12790-1903.

(Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

WASHINGTON, May 23, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith for your consideration the record of the Commission to the Five Civilized Tribes in the matter of the application of Julia E. Turner for herself and her four minor children, Joe, Cecil, Loyd and Frank Earl Turner, for identification as Mississippi Choctaws, wherein a decision adverse to the applicants was rendered by the Commission February 4, 1903.

The testimony in this case shows that the applicants base their claim to identification on their descent from John Patterson, through his daughter, Martha Haney (nee Patterson), it being claimed that they were citizens of the Choctaw Nation and residents in Mississippi at the time of the making of the Choctaw treaty of 1830.

The Commission give as their reason for rejecting the applicants that the names of the ancestors through whom they claim do not appear on their records among the names of those who complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, and as an additional reason that they

-2-

are not enrolled as citizens of the Choctaw Nation.

An examination of the records of this office with reference to the names of John Patterson and Martha Haney (nee Patterson) has been made and it is discovered that their names do not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the treaty of 1830; neither does it appear that they applied to the Commissions appointed under Acts of March 3, 1837 and August 23, 1842, for an adjudication of their rights, if they had any, as Choctaw Indians.

These being the facts of the case it is the opinion of this office that the decision of the Commission rejecting the applicants is correct and is accordingly recommended for approval.

Very respectfully,

A. C. TONNER,

Acting Commissioner.

C.T.C.

D.C.16722-1903.
ITD.4614-1903.
LRS.

(Copy)

W.C.F.
EAF.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, June 4, 1903.

Commission to the Five Civilized Tribes

Muskogee, I. T.

Gentlemen:

February 20, 1903, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Julia E. Turner and her minor children, Joe, Cecil, Loyd and Frank Earl Turner, including your decision of February 4, 1903, refusing the application.

The applicants claim rights to Choctaw lands under article 14 of the treaty of 1830, by reason of being descendants of John Patterson, through his daughter, Martha Haney (nee Patterson), mother of the principal applicant, it being alleged that said ancestors were Choctaw Indians.

Neither the evidence submitted in this case nor the records of the Indian Office show that either of said ancestors complied or attempted to comply with article 14 of said treaty, or with the subsequent acts of Congress relating thereto.

Reporting May 23, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter

-2-

is inclosed.

The Department finds no reason to disturb your decision, and hereby affirms the same.

Respectfully,

(signed)

THOS. RYAN,
Acting Secretary.

1 inclosure.

Muskogee, Indian Territory, July 15, 1903.

Mansfield McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 4th day of June 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Julia E. Turner et al., of which decision you were advised by mail on the 4th day of February, 1903.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

M C R 994

Muskogee, Indian Territory, July 15, 1903.

Julia E. Turner,
711 South Market St.
Wichita, Kansas.

Dear Madam:

You are hereby notified that on the 4th day of June 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Julia E. Turner et al., of which decision you were advised by registered mail on the 4th day of February, 1903.

Respectfully,

(RECEIVED)

T. B. Needles.

Commissioner in Charge.

M C R 994

Muskogee, Indian Territory, July 30, 1903.

Hammers & Foulke,
Attorneys at Law,
Wichita, Kansas.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 27th instant, in which you ask to be advised the status of the Mississippi Choctaw case of Mrs. J. E. Turner.

In reply you are informed that on June 4, 1903, the Secretary of the Interior approved the decision of the Commission refusing the application made by Julia E. Turner for the identification of herself and minor children as Mississippi Choctaws, of which departmental action Mrs. Turner was duly advised on July 15, 1903.

Respectfully,

Commissioner in Charge.

M C R 994

Muskogee, Indian Territory, August 5, 1903.

Hammers & Foulke,
Attorneys at Law,
Wichita, Kansas.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 3rd instant, wherein you ask on what grounds the Mississippi Choctaw application of Mrs. Julia E. Turner was refused. You state that you have paid little attention to this claim, trusting it to Hudson & Arnold, and ask to be advised whether or not the fact that Hudson & Arnold had been engaged in some questionable practice before the Commission would have any bearing upon this particular claim.

In reply you are informed that the Commission requires of applicants for identification as Mississippi Choctaws that they not only show that they are possessed of Choctaw blood but that they must also show that they are descendants of Choctaw ancestors who resided in the old Choctaw Nation in the States of Mississippi and Alabama in 1830, and that such ancestors complied with the provisions of the fourteenth article of the Choctaw treaty of 1830, or subsequently had their claims arising thereunder adjudicated by either of the two Commissions authorized for this purpose by

H & F 2

the acts of Congress of March 3, 1837 and August 23, 1842. No proof of this character was submitted in support of the application of Mrs. Julia H. Turner for the identification of herself and her minor children as Mississippi Choctaws.

The fact that Messrs. Hudson & Arnold were alleged to have been engaged in some questionable practice before the Commission in no way effected the determination of the right of said applicants to identification as Mississippi Choctaws.

Respectfully,

Commissioner in Charge.

MCR 994

Muskogee, Indian Territory, January 29, 1906.

Mrs. S. R. Turner,
#610 Laura Avenue,
Wichita, Kansas.

Dear Madam:

This office is in receipt of a letter dated January 20, 1906, and written in your behalf by Dr. P. D. St. John, relative to your application for identification as a Mississippi Choctaw. It is stated in said letter that you recently saw in a Chicago paper that the rolls of the Choctaws and other tribes are to be reopened, and you desire to be informed if this applies to your claim.

In reply you are advised that it appears from the records of this office that the decision of the Commission to the Five Civilized Tribes of February 4, 1903, refusing the application made by you for the identification of yourself and minor children as Mississippi Choctaws, was approved by the Secretary of the Interior on June 4, 1903, since which date your case has been closed.

If you desire to make application to have your case reopened, you should submit a petition for rehearing to the Secretary of the Interior, through the Commissioner to the Five Civilized Tribes. The same should be in the form of, or accompanied by your affidavit, setting forth by what testimony you expect to establish

Mrs S R Turner 2

your claim, and containing the names of the witnesses who are expected to furnish the required testimony. You must also show how, when, and where said witnesses acquired their knowledge of the matters whereof it is expected that they will testify.

Motions for rehearings are only granted in those cases where sufficient reason appears for so doing. Mere statements contained in a letter are not sufficient to induce such action. Applicants are required to show that they, or some one of their ancestors, were citizens of the old Choctaw Nation in the States of Mississippi and Alabama in 1830 and heads of families, and, as such, complied with the provisions of the 14th article of the Choctaw treaty of 1830. A mere allegation that their ancestors so complied is not sufficient; the time of their application to be registered must also be shown, and the conversation or circumstance relating to it. In some cases this showing can be made directly by satisfactory evidence, either oral or documentary; in others the applicants can accomplish the same result by showing that an ancestor of theirs was identical in person with one of the original beneficiaries of said article 14, whose name appears as such in the records of the government. No conclusion, however, as to identity can be reached in the absence of a full history of the applicants' ancestors, showing, as nearly as possible, their legal

Mrs S R Turner 3

residence and family associations, also their Choctaw as well as
their English names.

Respectfully,

Acting Commissioner.

M C R 994

Muskogee, Indian Territory, February 16, 1906.

Julia E. Turner,
#810 Laura Avenue,
Wichita, Kansas.

Dear Madam:

The papers enclosed in your letter of February 7, 1906,
are herewith returned, and you are advised that full information
relative to making application for the reopening of your Mississip-
pi Choctaw application was contained in a letter from this office
to you under date of January 29, 1906.

Respectfully,

Acting Commissioner.

McM 16/1

^{now}
James P. H. H. - 57110
Mississippi Chartered
be in Texas. Dec 14 1866.
That should be in the name
of Haring.

App. - 15 March. 1886.
Die 23rd 1886. at King's Co.
Application pending before
Commissioner in charge of land
& records of Ariz. Co.
Then in hands of Haring.
Get exact status of this
application and money to broker
Haring Haring to procure money
to go to Mexico for their share
and money - Inquire with the
Com and Haring Haring

No. 994

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900
Name Julia E. Turner
Age 34 Blood 1/4

Post Office, Wichita, Kan.

Father: Pleasant Haney d

Mother: Martha " d

Claims through

Mother -

Husband
Simpson R. Turner. d

Children:

Joe - 9
Beil - 6
Lloyd - 3



John C. ...
et al.
DECISION RENDERED FEB 4 1903

NOTICE OF DECISION MAILED APPLICANT.

FEB 24 1903

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

FEB 24 1903

RECORD FORWARDED DEPARTMENT.

FEB 20 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 4 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

JUL 15 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUL 15 1903

Choc. MCR 995

Malinda Branum

See MCR 896

MCR 995

Calinda H. H. H. H. H.
REFUSED

DECISION RENDERED: JUL 22 1902

NOTICE OF DECISION MAILED APPLICANT:

JUL 22 1902

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.**

JUL 22 1902

RECORD FORWARDED DEPARTMENT:

JUL 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

AUG 22 1902

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.**

AUG 30 1902

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.**

AUG 30 1902

REFER TO M. C. R. 196

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOV. 5th, 1900.

In the matter of the application for identification as Mississippi Choctaws of Malinda Branum and her three minor children.

MALINDA BRANUM, being duly sworn, testified as follows:

- Q What is your name? A Malinda Branum.
Q What is your age? A 45.
Q What is your post office address? A Pauls Valley, I.T.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A Between 13 and 14 years.
Q Have you maintained a continuous residence here for that long?
A Ever since then; I haven't been out.
Q Where did you live prior to your residence in the Indian Territory? A In Texas.
Q How long have you lived in Texas? A I expect I lived there 18 years.
Q Where did you live prior to that time? A I came from Missouri there; I was married there.
Q You lived in Missouri, A Yes sir.
Q How long did you live in Missouri? A I couldn't say; I don't know.
Q About how long? A I don't remember how long; I was married there; I went there when a child.
Q About how old were you when you went to Missouri? A I expect I was 12 years old most.
Q Where did you live before that? A I was born in Tennessee.
Q Did you live in Tennessee up until the time you moved to Missouri?
A Yes sir.
Q And you lived there until your residence in Texas. A Yes sir.
Q You lived in Texas 18 years? A Yes sir.
Q You moved from Texas to the Indian Territory about 13 years ago?
A Yes sir.
Q And never have lived in Mississippi? A Never have, but my father was born and raised there.
Q How much Choctaw blood do you claim? A 1/8
Q What is your father's name? A Albert Willis.
Q Is your father living? A No sir, he is dead.
Q What is your mother's name? A Sarah Jane Willis.
Q Is your mother living? A Yes sir.
Q From which one of your parents do you claim your Choctaw blood?
A My father.
Q Was your father's name ever on any tribal rolls of the Choctaw Nation? A Not that I know of.
Q Was he ever recognized by the tribal authorities of the Choctaw Nation as a citizen? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw nation? A No sir, never did.
Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National council, as a citizen of that nation? A No sir, I don't recollect of it.

- Q Did you, or did anyone in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States court in Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or by the decision of this Commission? A No sir.
- Q Have you ever, prior to this time made any application to either the tribal authorities of the Choctaw Nation to the authorities of the United States for citizenship and enrollment as a Choctaw? A No sir.
- Q This is the first application of any description? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe you are entitled to be identified by this Commission as a Choctaw Indian, entitled to the rights in Choctaw lands under the provision of article 14 of the treaty of 1830? A Because I have always been taught that I had the blood.
- Q Are you making claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A No sir.
- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, that was recognized as a member of that tribe at that time? A My great grand mother.
- Q What was her name? A Rushen.
- Q You don't know what her given name is? A No sir, I never did know.
- Q Have you any evidence she was recognized member of the Choctaw tribe of Indians in 1830? A Only what I was taught by my parents.
- Q What did they teach.
- A They taught it to us that we were Indians.
- Q Were they recognized members of the Choctaw tribe?
- A No sir, I don't know they did, but they always said they were Indians.
- Q Did any of your ancestors in Mississippi ever receive or claim any lands as beneficiaries under the provisions of article 14 of the treaty of 1830? A Not that I know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A John H. Branum.
- Q Are you making any application for your husband? A No sir.
- Q He is a white man? A Yes sir.
- Q When did you marry him? A I don't know the date.
- Q About how long have you been married? A About the year 1870.
- Q Have you any children under 21 years of age unmarried for whom you desire to make application? A Three.
- Q What are their names and ages? A Solomon C. Brown, age 19; Alfred Newton Branum, age 15; Florence Bell, age 10.
- Q You are the mother of these three children? A Yes sir.
- Q James H. Branum is their father? A Yes sir.
- Q They all live with you at your home? A Yes sir.
- Q Is there any additional statement you desire to make in support of your application? A None that I know of.
- Q Have you any written evidence you desire to offer in support of your application? A I don't know.

#3

Attorney for applicant asks leave to file written evidence in support of this claim within fifteen days.

(By the Commission)

Permission is granted to attorney for applicant to file written evidence, provided the same is offered for filing within 15 days.

The decision of the Commission as to your application and the application you make on behalf of your three minor children as Mississippi Choctaws, will be mailed to you in writing in the near future, at your present post office address.

E. Hastain, being first duly sworn upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 5th day of Nov. 1900, and that the above and foregoing is a true full and correct transcript of his stenographic notes in said cause.

E. Hastain

SUBSCRIBED AND SWORN TO before me this 30 day of
Nov. 1900 at Muskogee, Indian Territory.

Guy L. Emerson
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

C. M. M.
C. W. W.

In the matter of the application of Malinda Branum,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

Malinda Branum, et al.....M.C.R. 995
Nancy Ellen Byers, et al.....M.C.R. 896.

--: D E C I S I O N :--

It appears from the record herein that applications
for identification as Mississippi Choctaws were made to this Commis-
sion, by Malinda Branum for herself and her three minor children,
Solomon C., Alfred Newton and Florence Bell Branum, and by Nancy
Ellen Byers for herself and her five minor children, Carrie Ellen,
Robert E., Leona, Amos R. and Winnie Byers, under the following pro-
vision of the act of Congress approved June 28, 1898, (30 Stats., 495).

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the
United States and the Choctaw Nation, concluded September
twenty-seventh, eighteen hundred and thirty, and to that
end may administer oaths, examine witnesses and perform
all other acts necessary thereto and make report to the
Secretary of the Interior."

(2).

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one _____ Rushen (first name not given), an alleged Choctaw Indian (degree of blood not given), who is alleged to have resided in Mississippi in 1830.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said _____ Rushen, or any of the applicants herein, signified (in person or by proxy), to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180), and August 23, 1842, (5 Stats., 513).

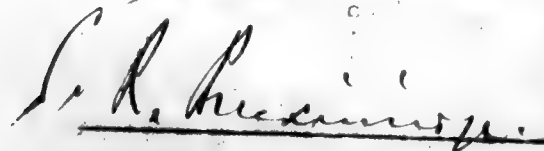
It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of

(3).

Malinda Branum, Solomon C. Branum, Alfred Newton Branum, Florence Bell Branum, Nancy Ellen Byers, Carrie Ellen Byers, Robert E. Byers, Leona Byers, Amos R. Byers and Winnie Byers, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


ACTING CHAIRMAN


S. H. Brumby

Muskogee, Indian Territory,
JUL 22 1902.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Malinda Branum,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

Malinda Branum, et al.....M.C.R. 995
Nancy Ellen Byers, et al.....M.C.R. 896.

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
Malinda Branum, et al.

Original application of Malinda Branum,
et al., to the Dawes Commission for iden-
tification as Mississippi Choctaws.....1
Written petition of Malinda Branum.....4
Original application of Nancy Ellen Byers
et al., to the Dawes Commission for iden-
tification as Mississippi Choctaws.....6
Written petition of Nancy Ellen Byers.....9
Marriage certificate of Isaac E. Byers
and Nancy E. Branum.....11
Affidavit of Birth of Winnie Byers.....12
Decision of the Commission denying the ap-
plications of Malinda Branum, et al., and

(2).

Nancy Ellen Byers, et al., for identifi-
cation as Mississippi Choctaws.....13

-----:-----

REFER TO M. C. R. 995

Mahinda Prannum
et al

Consolidated Case

Rebecca Puckin
married
Edward Willi

Albert Willis
wife
Sarah Jane Willis

Malinda Willis 45 1/8
married
James H. Brannum

Nancy Ellen Brannum 25 1/6
married
Evaac E. Byers
Solomon C. Brannum 19
Alfred Newton Brannum 15
Florence Bell 10

Carrie Ellen Byers 8
Robert E. Byers 6
Liona Byers 4
Anna R. Byers 2

COPY.

M C R 995

Muskogee, Indian Territory, July 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Malinda Branum, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 22nd, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Malinda Branum, et al.,	M C R 995
Nancy Ellen Byers, et al.,	" 896

The Commission has the honor to report that the principal applicants in the several separate applications, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED).

I. B. Needles.

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

1 enclosure.

COPY.

M C R 995

Muskogee, Indian Territory, July 22, 1902.

Malinda Branum,

Pauls Valley, Indian Territory.

Dear Madam:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Malinda Branum, et al., embracing the following applications for identification as Mississippi Choctaws:

Malinda Branum, et al.,	M C R 995
Nancy Ellen Byers, et al.,	" 896

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Malinda Branum, Solomon C. Branum, Alfred Newton Branum, Florence Bell Branum, Nancy Ellen Byers, Carrie Ellen Byers, Robert E. Byers,

Malinda Branum-2

Leona Byers, Amos R. Byers and Winnie Byers, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. B. Needles
Commissioner in Charge.

Registered.

COPY.

M C R 995

Muskogee, Indian Territory, July 22, 1902.

Mansfield, McMurphy & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Dear Sirs:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Malinda Branum, et al., embracing the following applications for identification as Mississippi Choctaws:

Malinda Branum, et al.,	M C R 995
Nancy Ellen Myers, et al.,	" 896

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Malinda Branum, Solomon C. Branum, Alfred Newton Branum, Florence Bell Branum, Nancy Ellen Myers, Carrie Ellen Myers, Robert E. Myers,

M, MoM & C-2

Leona Myers, Amos R. Myers and Winnie Myers, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Sign

T. B. Needles.

Commissioner in Charge.

Land
44138-1902.

C O P Y.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington, August 7, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

~~There is transmitted herewith a report made by the~~
Acting Chairman of the Commission to the Five Civilized Tribes on
July 22, 1902, forwarding for the Department's consideration the
record in the matter of the consolidated case of Malinda Branum,
et al., applicants for identification as Mississippi Choctaws claim-
ing rights in the Choctaw lands under the provisions of the fourteenth
article of the treaty of 1830.

Malinda Branum applies for the identification of herself
and her three minor children, Solomon C., Alfred Newton and Florence
Bell Branum; Nancy Ellen Byers applies for herself and her five
minor children, Carrie Ellen, Robert E., Leona, Amos R., and
Winnie Byers.

Principal applicant Malinda Byers claims descent through
her father, Albert Willis, to _____ Rushen, her great grand-
mother. Rebecca Willis, Nee Rushen, married Edward Willis, and
these were the grandparents of said principal applicant, being

parents of Albert (or Alford) Willis.

July 22, 1902, the Commission held that the applicants were not entitled to identification as Mississippi Choctaws.

The records of this office do not show that any of the above-named ancestors complied or attempted to comply with the provisions of article fourteen of the treaty of 1830, or that they applied to the commissions appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of their rights as Choctaw Indians.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications, be affirmed.

Very respectfully,

Your obedient servant,

(Signed) A. C. Tonner,

Acting Commissioner.

GAW
D

3 inclosures.

D.C. 13976-1902.

50347

RAF.

DEPARTMENT OF THE INTERIOR.

Washington, August 22, 1902.

ITD. 4859-1902.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

The Department has considered the consolidated case involving the applications for identification as Mississippi Choctaws, of Malinda Branum and her three minor children, Solomon C., Alfred Newton and Florence Bell Branum; and of Nancy Ellen Byers and her five minor children, Carrie Ellen, Robert E., Leona, Ames R. and Winnie Byers. The record, including your decision of July 22, 1902, denying the applications, was transmitted with your letter of that date.

The applicants attempt to trace their descent from one Rushen (first name not given), alleged to have been a Choctaw Indian residing in Mississippi in 1830.

The record fail to show that any one of the applicants was ever duly admitted or enrolled as a Choctaw citizen, or that said Rushen ever complied or attempted to comply with the provisions of article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842,

(5 Stat., 513).

The Acting Commissioner of Indian Affairs forwarded the papers August 7, 1902, and recommended that your decision be approved. A copy of his letter is inclosed.

After a careful examination of the whole case the Department affirms your decision.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

EMD.

1 inclosure.

COPY. M.C.R. 996.

Muskogee, Indian Territory, August 30, 1902.

Malinda Brantum,

Pauls Valley, Indian Territory.

Dear Madam:

You are hereby advised that on the 23rd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Malinda Brantum, et al., of which decision you were advised by registered mail on the 22nd day of July, 1902.

Yours truly,

SIGNED:

Acting Chairman.

COPY. M.C.R. 998.

Muskogee, Indian Territory, August 30, 1902.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 22nd day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Malinda Brannon, et al., of which decision you were advised by mail on the 22nd day of July, 1902.

Yours truly,

Acting Chairman.

No. 995

For Identification as a Mississippi Choctaw.

✓ Date NOV - 5 1900

Name Malinda Branum.

Age 45 Blood 1/8

Post Office, Paul's Valley, I. T.

Father: Albert Willis - dead.

Mother: Sarah J. Willis - ✓

Claims through Father.

HUSBAND: James H. Branum.
(No claim for husband).

Children:

Solomon B. Branum 19.

Alfred N. " " 15.

Florence B. " " 10.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

ACTING CHIEF

Choc. MCR 996

David M. Carter

See MCR 153

MCR 996

David M. Carter

REFUSED.

DECISION RENDERED.

MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 22 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS

MAY 22 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHICKASAW AND CHICKSAW NATIONS.

MAY 22 1902

RECORD FORWARDED DEPARTMENT.

MAY 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 23 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

JUL 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANTS.

JUL 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHICKSAW
AND CHICKASAW NATIONS.

JUL 2 1902

REFER TO M. C. R. 153

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T.. NOVEMBER 5, 1900.

NO. 996.

In the matter of the application for identification as Mississippi Choctaws of David M. Carter, which he makes in his own behalf and on behalf of his two minor children. David M. Carter, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A David M. Carter.
Q What is your age? A 38.
Q What is your post office address? Overbrook, Indian Territory.
Q How much Choctaw blood do you claim? A 1/4.
Q How long have you lived in Overbrook? A I have lived there now about, hardly two months.
Q Where did you live before you lived at Overbrook?
A Montgomery County, Texas.
Q How long did you live in Texas? A About 38 years.
Q All your life? A Yes sir, I was born and raised there.
Q What is your father's name? A Jesse Carter.
Q And your mother's name? A Malvina Carter. That was her married name; her maiden name was Becker, before she married.
Q Is your father living? A Yes sir.
Q Mother living? A No sir.
Q Under which of your parents do you claim your Choctaw blood?
A My mother.
Q Is your father a white man? A Yes sir.
Q Is your mother's name on any of the tribal rolls of the Choctaw Nation? A I do not know, I do not think it is.
Q Did she ever live in the Indian Territory?
A Yes sir, she lived and was married in the state of Mississippi and moved to the Choctaw Nation and lived there awhile. My grandfather moved from Mississippi to the Choctaw Nation.
Q Is he or your mother on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by the tribal authorities? A No sir.
Q Were you ever recognized by them as a citizen? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by the Dawes Commission acting under the law of June 10, 1896? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by the decision of the United States Court on appeal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.
Q Is this the first application that you have ever made for identification as a Mississippi Choctaw? A Yes sir.
Q And you are now making application for yourself and children?
A Yes sir.
Q Under what treaty or treaties do you claim the right to be identified as a Mississippi Choctaw? A Well the Dancing Rabbit.

- Q The treaty of Dancing Rabbit Creek? A Yes sir.
- Q Do you know the name of that treaty; do you know whether that treaty took place in 1830? A It was somewhere along about that date.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Henry Beeks.
- Q He was your mother's ancestor? A Yes sir.
- Q What relation was he to your mother? A Her father.
- Q And he lived in Mississippi in 1830? A Yes sir I think so.
- Q Did he take advantage of the provisions of the treaty of Dancing Rabbit Creek? A I do not know.
- Q Did he ever own land in Mississippi which he received from the United States Government under the provisions of article 14 of that treaty? A No sir.
- Q Do you know whether any of your ancestors ever complied with the provisions of the 14 article of the treaty of 1830?
- A My mother's mother was a Choctaw. Beeks married a Choctaw.
- Q Your mother's mother was a Choctaw and your grandfather Beeks married a Choctaw? A Yes sir.
- Q You claim under his wife? A Yes sir.
- Q You do not know her first name? A I believe her maiden name was Shoate.
- Q Then this was your mother's mother, was it not? A Yes sir.
- Q And her maiden name was Shoate? A Yes sir.
- Q And she married whom? A Henry Beeks.
- Q And you claim through the wife of Henry Beeks? A Yes sir.
- Q Did she ever receive any land in Mississippi? A Not that I know of.
- Q Did she ever comply with the provisions of article 14 of the treaty of 1830? A I do not know.
- Q Have you any evidence that you are a lineal descendant from this Mississippi ancestor, except what has been told you in the family? A No sir.
- Q Have you any records or affidavits that you would like to introduce? A Only from my attorney—I gave them to him. My attorney will attend to the rest of that.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Lizzie Carter.
- Q When and where were you married to Lizzie?
- A In Montgomery County, Texas, the 5th of March.
- Q Under the laws of the state of Texas, I presume? A Yes sir.
- Q Have you your marriage license and certificate that you would like to introduce? A My attorney has them.
- Q Do you want any time to file affidavits and other documentary evidence?
- Attorney:
Attorney for applicant asks leave to file written evidence in support of this application and marriage license within 15 days from this date.
- Commission:
Motion granted.
- Q Have you any children that you would like to make application for? A Two.
- Q Minors and unmarried? A Yes sir.
- Q What is the name of the oldest? A Jesse C.
- Q How old is Jesse? A 14.

- Q The next? A Draw.
 Q How old is Drew? A Six months.
 Q Lissie Carter is the mother of these children?
 A The mother of one of them?
 Q She is the mother of which one? A The youngest, Drew.
 Q Who is the mother of Jessie? A Georgia.
 Q Then you have been married twice? A Yes sir, I have been married three times.
 Q Jessie is the child of your first wife, Georgia?
 A Yes sir.
 Q And Drew the child of Lissie? A Yes sir.
 Q The basis of their claim is the same as yours is it not?
 A Yes sir.
 Q They claim through you? A Yes sir.
 Q And you through your mother? A Yes sir.
 Q Is there anything further that you would like to state in support of your application? A No sir.

The decision of the Commission in regard to your application for identification as a Mississippi Choctaw which you make on your own behalf and in behalf of your two minor children will be mailed to you in writing at your present post office address in the near future.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
 this 14 day of November 1900.

Guy L. Emerson
 Notary Public.

Muskogee, Indian Territory, November 14, 1900.

Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 13th instant enclosing petitions of Melinda Branun, William C. Arnold, David M. Carter and John F. Malfiore, together with affidavits in the last mentioned case, offered by you for filing in the cases of applications of these parties for identification as Mississippi Choctaws. The same have been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

M. C. R-878
M. C. R-995
M. C. R-996
M. C. R-998

Atoka, Indian Territory, April 1, 1901.

The Commission to the Five Civilized Tribes,

Muskogee, Indian Territory,

Gentlemen:

There are inclosed you herewith four copies of the testimony in case number 996, David M. Carter et al. applicant for identification as a Mississippi Choctaw. The memorandum alip and the card both show that this application was made on November 5, 1900, but the statement of the stenographer at the head of the testimony shows that it was taken September 5, 1900, while in the affidavit of the stenographer, it is stated that the case was heard on November 5, 1900. Will you kindly have the stenographer who reported this case, Miss Kate DeBord, make the necessary change in the date, and return the testimony to us as soon as possible.

Yours truly,

Inclosure

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS S. NEEDLES,
C. R. BRECKINRIDGE,
ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS IN THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 23, 1901.

David M. Carter,
Overbrook, Indian Territory.

Dear Sir:

In the matter of the application for identification as Mississippi Choctaws of Artemissey Moran, et al., you are informed that under date of July 25, 1901, the Commissioner of Indian Affairs remanded to this Commission the record theretofore forwarded the Department for approval with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such application.

It appears from our records that at Muskogee, Indian Territory on November 5, 1900 you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and two minor children claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Meridian, Mississippi on January 20, 1902 at nine o'clock A. M. there will be heard the testimony of such wit-

D. M. C. 2.

nesses as present themselves in person in support of your application.

Yours truly,

A handwritten signature, possibly "M. C. 996", written in dark ink. The signature is somewhat stylized and appears to be a cursive or semi-cursive script.

M. C. 996.

Acting Chairman.

COPY.

M O R 996

Muskogee, Indian Territory, May 22, 1902.

David M. Carter,

Overbrook, Indian Territory.

Dear Sir:

You are hereby advised that on the 15th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Artimissey Moran, et al., embracing the following applications for identification as Mississippi Choctaws:

Artimissey Moran, et al.,	M O R 153
Mary Budd, et al.,	M O R 771
Austin Netts,	M O R 773
Laura Van Villhite,	M O R 797
David Smith,	M O R 778
Petra Page, et al.,	M O R 801
Nancy Smith, et al.,	M O R 800
Isabelle Staser,	M O R 788
William Smith,	M O R 802
David M. Carter, et al.,	M O R 996

Said decision after a review of the evidence submitted concludes as follows:

*The authority vested in the Commission by the treaty-
first section of the act of Congress of June 22, 1892, (30 Stats.,
495) is as follows:

'Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the
United States and the Choctaw Nation concluded September

COPY

D M C—2

twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Artemissey Moran, Lave Moran, Gracie Moran, Ethel Metts Moran, Johnnie Moran, Mary Ridd, Fred Ridd, Claude E. Ridd, Emma Ridd, Austin Metts, Lesley Sylvester Metts, Laura Van Vliet, David Smith, Bonnie E. Smith, Petra Page, Louisa Ann Page, William Davis Page, James Smith, Arthur Smith, Dechard Smith, Elijah Smith, Isabelle Shafer, William Smith, David M. Carter, Jesse C. Carter and Drew Carter, if Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

In view of the fact that a motion was heretofore made by the attorney for the applicants withdrawn, the application made by Artemissey Moran for the identification of her husband, Jno. C. Moran, as an intermarried Mississippian Choctaw, and that said application was dismissed by the Commission, no further consideration of this case is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Secretary.

Very truly,
D. M. C.

COPY.

H.C.R. 996.

Muskogee, Indian Territory, July 2, 1902.

David M. Carter,
Overbrook, Indian Territory.

Dear Sir:

You are hereby advised that on the 23^d day of June, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Artimisey Moran et al., of which decision you were advised by registered mail on the 22, day of May, 1902.

Yours truly,

I. B. Needles.
Commissioner in Charge.

No. 996

For Identification as a Mississippi Choctaw.

Date NOV -5 1900

Name David M. Carter

Age 38 Blood 1/4

Post Office, Courtland, I. T.

Father: Jesse Carter, I

Mother: Malvina " d

Claims through

Mother.

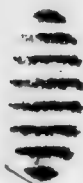
Lizzie Carter (wife)

Children: -

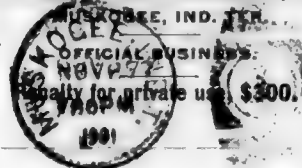
Jesse - b. 14
Helen - b. 6m.



*return to writer.
unclaimed*



Department of the Interior.
Commission to the Five Civilized Tribes.



*Mr. David M. Carter
Overbrook
Ind.*

Returned to writer.

Reg No 77



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

David M. Carter, 7883
Overbrook 2138
D.C.

796
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JUL 7 1902


ACTING CHAIRMAN



Choc. MCR 997

Birdie Richards

See MCD 1

MCR 997

M

CHICKASAW NATION

Andie Richards et al

REFER TO M. C. & D. I.

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 3, 1900.

—O—

NO. 997.

In the matter of the application for identification of Birdie Richards, which she makes through her husband, C. F. Richards, for herself and her minor children. C. F. Richards, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A C. F. Richards.
Q Are you the husband of Birdie Richards? A Yes sir.
Q You are making application for identification as Mississippi Choctaws in behalf of Birdie Richards and her minor children?
A Yes sir.
Q Why does she not make the application in person? A She is not able on account of sickness.
Q She requests you to appear for her? A Yes sir.
Q You wish to introduce the doctor's certificate of her sickness? A I do.
The certificate of G. C. Wilton, physician in attendance on Birdie Richards, states that she is not able to appear before the Commission on account of sickness, the same is introduced, marked Exhibit A, and made a part of the records in this case.
Q What is the age of Birdie Richards? A 37 years old.
Q How much Choctaw blood does she claim? A I think it is 1/8.
Q What is her post office address? A Ryan, Indian Territory.
Q How long has she lived in Ryan? A Something over two years.
Q You have lived there with her? A Yes sir.
Q And where did you both live previous to living in Ryan?
A Texas.
Q How long in Texas? A Oh I lived there a short time, about 35 years.
Q And previous to that where did you live? A Born in Texas.
Q Were you married to her in Texas? A Yes sir.
Q What is the name of your wife's father? QA E. S. White.
Q Living? A Yes sir.
Q And her mother? A Louisa White.
Q Living? A Dead.
Q Under which of her parents does she claim her Choctaw blood?
A Mother.
Q What is her mother's name? A Louisa White.
Q Is the name of your wife's mother on any of the tribal rolls of the Choctaw Nation? A I don't know.
Q Do you know if she was ever recognized by the tribal authorities of the Choctaw Nation? A I don't know.
Q Is her name on any of the tribal rolls of the Choctaw Nation?
A I don't know.
Q Was she ever recognized by any of the Choctaw tribal authorities as a member of that Nation? A I do not know.

- Q Did she, or anyone in her behalf ever make application for identification to the Dawes Commission previous to this?
- A Not that I know of.
- Q Was she ever admitted to citizenship in the Choctaw Nation by a decision of either the Dawes Commission or the Choctaw tribal authorities? A I do not know, sir.
- Q Do you know whether she was ever admitted to citizenship in the Choctaw Nation by a decision of the United States Court? A No sir.
- Q This is the first application that has ever been made for her to the Dawes Commission? A Yes sir.
- Q And is this the first application that has ever been made for these children? A Yes sir.
- Q Under what treaty or treaties does she claim the right to be identified as a Mississippi Choctaw? A I suppose it would be under the Curtis law.
- Q Do you know whether she claims under the treaty of 1830?
- A No sir.
- Q Or article 14 of the treaty of 1830? A I do not know.
- Q Do you know whether the ancestor under whom she claims the right to be identified as a Mississippi Choctaw complied with the provisions of the treaty of 1830?
- A I do not think she did.
- Q Do you know whether the ancestor who lived in Mississippi and under whom she now claims the right of identification ever received land as a beneficiary under the treaty of 1830?
- A I do not think she did, I do not know.
- Q What is the name of her ancestor who lived in Mississippi?
- A Harris. I believe it was William Harris.
- Q What relation was William Harris to her? A Grandfather, or great grandfather, I do not know which.
- Q What evidence do you desire to produce in her interest at this hearing, that she is a descendant of a Mississippi Choctaw? A Why, we have evidence of four different persons..
- Q What kind of evidence is that—you mean you can produce witnesses? A Yes sir, part of them are here and some of them are dead, but I suppose you will have the evidence from them though?
- Q We are willing to hear any witnesses that you may have in support of your case, and also willing for you to file any written evidence that you may have; and willing to give you a reasonable time to procure the evidence. It is incumbent upon you to prove that your wife is a lineal descendant of a Mississippi Choctaw, and also further that her ancestor came under the provisions of article 14 of the treaty of 1830. Any evidence that you desire to submit now will be heard, or any that you wish to submit in writing within a reasonable time will be received.

Attorney:

Here attorney for applicant asks leave to file written evidence within 15 days from this date with marriage license and certificate.

Commission:

This motion is granted .

Q Have you any children you wish to appear for? A Yes sir.
 Q When and where were you married to Birdie Richards?
 A Bellville, Texas. It was in October about 11 years ago.
 11 years ago last October.
 Q What was her maiden name? A Birdie White.
 Q Have you children you desire to make application for?
 A Yes sir.
 Q Are they unmarried and minors? A Yes sir.
 Q What is the name of the oldest? A Lillie.
 Q How old is she? A 5.
 Q Next? A Lonie Richards.
 Q How old? A Three years old.
 Q Any more? A No sir.
 Q Birdie is the mother of these children? A Yes sir.
 Q You the father? A Yes sir.
 Q The basis of their claim is the same as hers? A Yes sir.
 Q Is there anything further that you would like to state in support of this application? A Not at present.

The decision of the Commission in regard to this application for identification as Mississippi Choctaws which you make in behalf of your wife, Birdie Richards, and in behalf of her two minor children will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord,

Subscribed and affirmed to before me
 this 14 day of November 1900.

Guy L. Emerson
 Notary Public.

Muskogee, Indian Territory, January 3, 1901.

Harper,

Ryan, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 31, 1901, in which you ask if the application of Lois Richards, girl child of Birdie Richards and C. F. Richards, for enrollment has ever been received by the Commission.

In reply to your letter you are advised that the records of this office show that on February 7, 1901, the application of Loys Richards, infant daughter of C. F. and Birdie Richards, was accepted and made a part of the original application of Birdie Richards for identification as a Mississippi Choctaw.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, February 8, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

~~The Commission is in receipt of your letter of January 8,~~
inclosing application of Lays Richards for identification as a Mississippi Choctaw. The affidavits of the mother and the attending physician at the birth of this child are accepted by the Commission as evidence of such birth, and this application will be filed with and made a part of the original application of the child's mother, Birdie Richards, for identification as a Mississippi Choctaw.

Yours truly,

Acting Chairman.

MC 997

Muskogee, Indian Territory, November 29, 1901.

Birdie Richards,
Ryan, Indian Territory.

Dear Madam:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, your husband, C. F. Richards, made personal application to this Commission for the identification as Mississippi Choctaws of yourself and two minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

B. R.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

K.C.-297

Acting Chairman.

M. C. R. 997

Muskogee, Indian Territory, March 14, 1902.

John D. Benedict,
Superintendent of Schools in Indian Territory,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, in which you desire to be informed if Lilla Richards, of Ryan, Indian Territory, the daughter of Columbus Richards, has been enrolled as a citizen by blood of the Choctaw Nation.

Replying to your letter you are informed that it does not appear from our records that any person by the name of Lilla Richards has ever been listed for enrollment by this Commission as a citizen by blood of the Choctaw Nation, or is the name of any such person found upon any of the tribal rolls of the Choctaw Nation in our possession.

It does appear however, that on November 5, 1900, at Muskogee, Indian Territory, C. F. Richards made personal application to this Commission for the identification of his wife, Birdie Richards and her two minor children, Lillie Richards, 5 years of age and Lonie Richards, 3 years of age, as Mississippi Choctaws.

The Commission has not up to this time rendered any decision relative to the rights of these persons to identification

J D B 2

as Mississippi 1 Choctaws and their present status is that of
applicants whose rights have in no manner been determined.

Yours truly,

Commissioner in Charge.

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 997

COPY.

Muskogee, Indian Territory, March 15, 1902.

Birdie Richards,

Ryan, Indian Territory,

Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Luciada Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Wintrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

E. B. Needles

Commissioner in Charge.

Registered.

M.C.R., 997.

Muskogee, Indian Territory, April 24, 1902.

Birdie Richards,
Ryan, Indian Territory.

Dear Madame:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 997.

Muskogee, Indian Territory, November 16, 1906.

Birdie Richards,

Ryan, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Wm. D. Dixby.
Commissioner.

No. 997

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Birdie Richards

Age 27

Blood $\frac{1}{8}$

Post Office,

Ryan, D. T.

Father:

C. S. White

Mother:

Louisa

Claims through

Birdie Richards

claim under mother

Children:

Lillie

Lonnie

— { 5
— { 3

C. F. Richards

Husband, makes

claim for wife

FILED

NOV 5 1900

Choc. MCR 998

William C. Arnold

MCR 998

William C. Arnold et al

REFUSED

DECISION RENDERED.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

SEP - 9 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

SEP - 9 1902

4/22/03 P. O. Elmore, I. T.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 5, 1900.

NO. 998.

In the matter of the application of William C. Arnold for identification as Mississippi Choctaws of himself and minor children. William C. Arnold, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A William C. Arnold.
Q What is your age? A 32.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your post office address? A Pauls Valley, Indian Territory.
Q How long have you lived there? A In and near there six years.
Q Where did you live before that? A In Ohio, Illinois and Texas.
Q Never lived in Mississippi? A No sir.
Q What is the name of your father? A William Arnold.
Q Living or dead? A Dead.
Q What is the name of your mother? A Mary Arnold.
Q Living or dead? A Dead.
Q Under which of these parents do you claim your Choctaw blood?
A My father.
Q Did he ever live in the Indian Territory? A No sir.
Q Never was a member of the Choctaw tribe in the Indian Territory? A No sir.
Q Was your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No sir.
Q Were you ever recognized as a member of that tribe of Indians in the Indian Territory? A No sir.
Q Did you ever make application to the Dawes Commission for enrollment as a member of the Choctaw tribe of Indians under the law of June 10, 1896? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States court? A No sir.
Q Is this the first application that you have ever made for identification or enrollment? A This is the first.
Q Under what treaty or treaties do you claim the right to be identified? A I understand it in a general way to be the treaty of 1830, article 14.
Q You claim under that article do you? A Yes sir.
Q Do you understand what the provisions of that article are?
A Only in a general way. I never did read it.
Q Did you ever have it explained to you? A Partially.
Q Do you know whether the ancestor who lived in Mississippi and under whom you claim the right to be identified as a Mississippi Choctaw now, ever complied with the provisions of article 14 of the treaty of 1830? A I do not, sir.
Q What was the name of the ancestor who lived in Mississippi

- under whom you claim now? A My father, William Arnold.
- Q He lived in Mississippi in 1830? A He told me he did.
- Q Did he ever tell you that he was enrolled on the Mississippi rolls of the Choctaw Nation? A He never did tell me whether he was or not.
- Q Did he ever hold any land in Mississippi, in the Choctaw Nation in Mississippi? A He said he did not.
- Q At the time that the Choctaw Indians removed from Mississippi to the Indian Territory under the treaty of 1830, do you know whether your ancestors, instead of going from Mississippi to the Indian Territory, remained in Mississippi?
- A For awhile he did, and then removed to Cleveland, Ohio.
- Q Do you know whether at the time that the Indians came from Mississippi to the Indian Territory, he declared his intention to the Indian Agent that he intended to stay there?
- A I do not know whether he did or not.
- Q You claim 1/8 blood? A Yes sir.
- Q He was 1/4 then? A Yes sir.
- Q This was your father? A Yes sir.
- Q And he lived there in 1830? A Yes sir, that was what he told me.
- Q How old was he when he died? A Well, he was 58 I think.
- Q When did he die? A I was 12 years old,--about 1868 or 1869.
- Q Have you any affidavits that you would like to introduce, or documentary proof of any kind in support of this application? A No sir, I have not.
- Q Do you wish any time in which to introduce them? A Yes sir.
- A Yes sir, I will have to have time, my attorneys will.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Mollie E. Arnold.
- Q When and where were you married to her.
- A At Ft. Smith, Arkansas.
- Q When was that? A 13 years ago.
- Q Tell the month and day? A It was in September, I do not remember the day.
- Q Have you your marriage license and certificate? A I haven't them with me.
- Q Would you like to introduce them? A Yes sir.
- Q Can you introduce them within 15 days? A Yes sir.
- Commission: The Commission will grant 15 days in which to file affidavits, documentary proofs and also marriage license and certificate, in order that they may be made a part of this application.
- Q Have you children you would like to make application for?
- A Yes sir.
- Q Minors and unmarried? A Yes sir.
- Q What is the name of the oldest? A Pearl.
- Q How old? A 11 years.
- Q Next? A Willie.
- Q How old? A Two years.
- Q Next? A That is all.
- Q Mollie E. Arnold the mother of these ~~three~~ two children?
- A Yes sir.
- Q You the father? A Yes sir.
- Q The basis of their claim is the same as yours? A Yes sir.
- Q Anything further you would like to state in support of your application? A Nothing, I believe.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and your two minor children, will be mail-

ed to you in writing at your present post office address in
the near future.

—o—

Kate De Bord, being first duly affirmed, states
that as stenographer to the Commission to the Five Civilized
Tribes, she reported all proceedings had in the above entitled
cause on the 5th day of November, 1900, and that the above
any foregoing is a full, true and correct transcript of her
stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 14 day of November, 1900.

Guy L. Emerson

Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I.T. February 24, 1902.

In the matter of the application for identification as Mississippi Choctaws of William C. Arnold, et al., M.C.R. 998.

J. G. Ralls attorney representing applicants.

Ruhama Lovall being first duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A Ruhama Lovall, R-u-h-a-m-a L-o-v-a-l-l.
Q What is your age? A Sixty-two.
Q What is your post office address? A Norman, Oklahoma.
Q Have you made application yourself to be identified as a Mississippi Choctaw? A No, sir.
Q Are you a white woman? A Yes, sir.
Q You don't claim any Indian blood? A No, sir.
Q How long have you lived in that place? A Three months.
Q How long have you lived in Oklahoma? A About ten years.
Q Where did you live before that? A Two years in Texas.
Q And where before that? A Cherokee Nation.
Q Are you acquainted with William C. Arnold and others who are applicants in this case number 998? A Yes, sir.

Examination by attorney J. G. Ralls.

- Q How long have you known William C. Arnold? A He is thrity-two and I have known him ever since he was about seven years old.
Q Do you know his mother and father? A Not his mother.
Q Did you know his father? A Yes, sir.
Q What do you know about William C. Arnold being a Choctaw Indian or part Choctaw? A Nothing only hearsay, his father told me he was a half breed; that this Arnold's father was a half breed; No, his grandfather, this ones grandfather; that would make him one-eighth.
Q When was it he told you this and where was it? A In Ohio.
Q About when was it? A I guess twenty-five years ago as well as I can remember.
Q Did you ever see Arnold's grandfather? A No, sir; I know nothing about him.
Q What was the appearance of Mr. Arnold's father? A What complexion?
Q Yes? A Dark.
Q What kind of hair did he have? A Dark straight hair.
Q Do you know whether he spoke any Indian language? A No, sir; Not that I know of.
Q Where does Mr. William C. Arnold live now? A Pauls Valley.
Q Is he a married man? A Yes, sir.
Q Do you know the name of his wife? A Yes, sir.
Q What is it? A Mary E.
Q Do you know how many children they have? A Three.
Q That is the same William C. Arnold who applied to this Commission for identification as a Mississippi Choctaw? A Yes, sir.

#2

- Q Are you related to him in anyway? A No blood.
Q You are related by marriage? A Yes; I reckon I am.
Q How is that? A Son in-law.
Q He married your daughter? A Yes, sir.

Examination by the Commission.

- Q Did you say you knew the father of William C. Arnold? A Yes, sir.
Q When and where did you know him? A In Ohio.
Q How old were you when you knew him? A I was young.
Q About how old? A I guess I was may be thirty.
Q You knew him about thirty-two years ago? A I guess so.
Q All you know about his having Choctaw Indian blood is what he told you? A Yes, that is all I know.
Q Is all you know about the quantity of Choctaw blood he had, what he told you? A Yes, sir.

Examination by attorney J. G. Ralls.

- Q Did you learn from him where he came from, what state? A Yes, sir; Arnold's father said that his father came from Mississippi.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on February 24, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date of February 1902.

Subscribed and sworn to before me this 14 day of March 1902.

Clara Mitchell Wood

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

J. W. B.
D. R. B.
C. V. W.

----- : -----

In the matter of the application of William C. Arnold,
et al., for identification as Mississippi Choctaws, H C R 998.

DECISION.

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by William C. Arnold for himself and his two minor children, Pearl and Willie Arnold, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being

descendants of one William Arnold, who is alleged to have been a quarter-blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty.


It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provision of the act of Congress approved June 10, 1896, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said William Arnold, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by acts of Congress approved March 3, 1837, (5 Stats., 180), and August 23, 1842, (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of

William C. Arnold, Pearl Arnold, and Willis Arnold, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


J. H. Arnold
C. T. Beckwith

Muskogee, Indian Territory,

JUL 19 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----- ; -----

In the matter of the application of William C. Arnold,
et al., for identification as Mississippi Choctaws, M C R 998.

List of papers forwarded to the Secretary of the Interior, comprising the record in the case of William C. Arnold, et al.

Page.

Original application of William C. Arnold, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	1
Petition of William C. Arnold addressed to the Commission to the Five Civilized Tribes - - - - -	4
Decision of the Commission denying the application of William C. Arnold, et al., for identification as Mississippi Choctaws - - - - -	6

Muskogee, Indian Territory, November 14, 1900.

Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 13th instant enclosing petitions of Melinda Branun, William C. Arnold, David M. Carter and John F. Halfacre, together with affidavits in the last mentioned case, offered by you for filing in the cases of applications of these parties for identification as Mississippi Choctaws. The same have been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

M. C. R-878
M. C. R-995
M. C. R-996
M. C. R-998

Miss. Choc. 998.

Muskogee, Indian Territory, March 21, 1902.

William C. Arnold,
Pauls Valley, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the nineteenth instant, asking that the Commission act upon your application for identification as a Mississippi Choctaw and advise you if you have not sufficient evidence to establish your claim.

In reply to your letter you are informed that no decision has yet been reached nor opinion rendered, and it is impossible at this time to say just when your case will be reached for consideration. As soon as a decision is reached you will be notified of the action taken by the Commission. The commission cannot take up applications for identification as Mississippi Choctaws and pass upon the sufficiency of the evidence offered until the same are taken up for consideration and determination.

Yours truly,

Commissioner in Charge.

M C R 998.

Muskogee, Indian Territory, July 19th, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of William C. Arnold, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 498) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of William C. Arnold, Pearl Arnold, and Willie Arnold, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this

M. M. & C. -----2.

date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

I. L. Jackson

Commissioner in Charge.

M C R 998.

Muskogee, Indian Territory, July 19th, 1902.

William C. Arnold,
Pauls Valley, Indian Territory.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of William C. Arnold, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 25, 1896 (50 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of William C. Arnold, Pearl Arnold, and Willie Arnold, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Inter-

Wm. C. Arnold----2.

for review and you will be informed in due time of such action
as may be taken by him.

Yours truly,

Registered.

T. I. Arnold

Commissioner in Charge.

M O R 998.

Muskogee, Indian Territory, July 19th, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of William C. Arnold, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 19th, 1902.

The Commission has the honor to report that the principal applicant herein, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission copies of said letters being attached to the record.

Respectfully,

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

3 inclosures.

M C R 998.

Muskogee, Indian Territory, July 23, 1902.

W. C. Arnold,

Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st inst., wherein you state "I see where you have passed on 2000 Miss. Choctaws and didnt think they had enough evidence. My father had a patent to his land in Mississippi but he died when I was small and I did not know just who had his paper." You also state that you introduced witnesses before the Commission who had seen his papers and so testified and that you have not been treated right.

In reply you are informed that the records of the Commission show that you are an applicant for the identification of yourself and minor children Pearl and Willie Arnold as Mississippi Choctaws, claiming rights to such identification through your father William Arnold, deceased.

The authority vested in this Commission to determine the identity of so called Mississippi Choctaws is contained in the provision of the act of Congress approved June 28, 1898, and is as follows:

W C A--2

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Under this legislation the Commission requires of such applicants that they reasonably demonstrate that they are the descendants of Choctaw ancestors who resided in the old Choctaw Nation in Mississippi or Alabama and complied, or attempted to comply with the provisions of article fourteen of the treaty of 1830, or were subsequently adjudicated beneficiaries thereunder by either of the two Commissions authorized for this purpose by the acts of Congress of March 3, 1837 and August 23, 1842.

No proof having been submitted of any compliance on the part of William Arnold with the provisions of article fourteen of the treaty of 1830, the Commission, on July 19, 1902, rendered its decision refusing the right to identification as Mississippi Choctaws of yourself and your two minor children and on the same date forwarded the record to the Secretary of the Interior for review. You will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in charge.

(COPY)

Land
43285-1902.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, August 21, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made July 19, 1902, by the Commissioner in charge of the work of the Commission to the Five Civilized Tribes, forwarding for the Department's consideration the record in the matter of the application of William C. Arnold for the identification of himself and his two minor children, Pearl and Willie Arnold, as Mississippi Choctaws claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of September 27, 1830.

July 19, 1902, the Commission held that the applicants were not entitled to identification as Mississippi Choctaws, and rejected their application.

Descent is claimed from William Arnold, father of the principal applicant.

An examination of the records of this office fails to disclose the fact that said William Arnold complied or attempted to comply with the provisions of article fourteen of the treaty of 1830, or that he applied to the commissions

-2-

appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of his rights as a Choctaw Indian.

It is therefore respectfully recommended that the decision of the Commission rejecting the application, be affirmed.

Very respectfully,

Your obedient servant,

A. C. Tenner,

Acting Commissioner.

GAV
D

3 inclosures.

D.C.No. 14540-1902.

(COPY)

DEPARTMENT OF THE INTERIOR.

RAV

WASHINGTON.

ITD. 5350-1902.

August 30, 1902.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

July 19, 1902, you transmitted the record and your decision of that date, in matter of the application for identification of William C. Arnold and his minor children, Pearl and Willie Arnold, as Mississippi Choctaws.

The applicants claim descent from one William Arnold, alleged to have been a quarter blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said William Arnold complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stats., 180), and August 23, 1842 (5 Stats., 513). You refused the application.

By letter of August 21, 1902, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

-2-

After a careful consideration of the entire case the
Department affirms your decision.

Respectfully,

Thos Ryan
Acting Secretary.
RMD

1 inclosure.

COPY.

M.C.R. 998

Muskogee, Indian Territory, September 9, 1902.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 30th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of William C. Arnold, et al., of which decision you were duly advised by mail on the 19th day of July, 1902.

Yours truly,

SIGNED:

Edna Kirby

Acting Chairman.

COPY.

M.C.R. 998

Muskogee, Indian Territory, September 9, 1902.

William C. Arnold,
Pauls Valley, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of William C. Arnold, et al., of which decision you were duly advised by registered mail on the 19th day of July, 1902.

Yours truly,

James H. Hogg.

Acting Chairman.

M C R 998

Muskogee, Indian Territory, April 28, 1903.

William C. Arnold,
Elmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, in which you state "I want you to tell me how my case stands, and if I need any more evidence."

In reply you are informed that the Secretary of the Interior, on August 30, 1902, approved the decision of the Commission refusing the application made by William C. Arnold for the identification of himself and minor children as Mississippi Choctaws, of which departmental action you were duly notified at your last known post office address, Pauls Valley, Indian Territory.

The Commission now considers your case closed and cannot receive or consider further evidence in support thereof.

Respectfully,

Chairman.

No. 998

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Wm C. Arnold.

Age 32 Blood 1/8

Post Office, Pauli Valley, J.P.

Father: Wm Arnold - d

Mother: Mary " d

Claims through

Father -

(wife)

Mollie E. Arnold

Children:

Pearl —

Willie —

{ " 2

FILED
NOV 5 1900
COMMISSION TO FIVE TRIBES

Choc. MCR 999

Martie Reed

MCR 999

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5th, 1900.

In the matter of the application for identification as a Mississippi Choctaw of Martie Reed, who being first duly sworn, testified as follows:

- Q What is your name? A Martie Reed.
Q What is your age? A 24.
Q What is your post office address? A Ardmore, Indian Territory.
Q Do you live at Ardmore? A Yes sir.
Q How long have you resided in the Indian Territory? A Two years.
Q Where did you live prior to that time? A In Texas.
Q How long did you live in Texas? A 22 years.
Q You were born, and lived there up until you moved to the Indian Territory two years ago. A Yes sir.
Q You have lived in the Indian Territory ever since then? A Yes sir.
Q Have you been outside of it? A Oklahoma Territory. I went visiting three months over there this summer.
Q How much Choctaw blood do you claim? A A quarter.
Q What is your father's name? A Griff Denton.
Q Is he living? A Yes sir.
Q What is your mother's name? A Annie Denton.
Q She is a non-citizen? A Yes sir.
Q Is she living? A Yes sir.
Q Through which of your parents do you claim your Choctaw blood?
A My father, from my grand mother.
Q Was your father's name ever on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation?
A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of that Nation? A No sir, never did.
Q Did you, or anyone in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under act of Congress of June 10th, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Choctaw tribal authorities of the decision of this this Commission? A No sir.
Q Have you ever, prior to this time made application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir, I haven't.
Q Has any application been made for you? A No sir, I never made any.
Q Are you the grand daughter of Pertato? A Yes sir.
Q Didn't she include your name in this application made to this Commission? A Yes sir.
Q Was that the only application made for you? A Yes sir.
Q Were you ever personally before the Commission? A No sir.
(By the Commission)
Reference is made to application by Emeline Pertate, Mississippi Choctaw D2 960.
Q You are now making application for identification as a Missis-

Mississippi Choctaw? A Yes sir.

Q Why do you believe you are entitled to be identified as a Choctaw Indian, entitled to take lands under the provisions of Article 14 of the treaty of 1830?

A Because my father is a half breed Choctaw, and my grand mother a full blood.

Q Was your grand mother, Faeline pertate recognized member of the Choctaw Indians in Mississippi in 1830? A I don't know.

Q Did any of your ancestors ever claim or receive any lands in Mississippi as a beneficiary under article 14 of the treaty of 1830? A I don't know.

Q Do you base your claim solely under article 14 of the treaty of 1830? A I don't know the treaty of 1830.

Q The only authority vested in this Commission to hear and determine the rights of applicants as Mississippi Choctaws, is contained in an act of Congress of June 28th, 1898: "Said commission ~~is authorized and directed to conduct an examination~~ shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, 1830". Do you make your claim under that? A Yes sir.

Q Did you make claim under any other provisions of or treaty stipulations between the United States and the Mississippi Choctaws? A I don't know anything about treaties.

Q Are you married? A I have been married.

Q Is your husband living? A ~~Married~~ Yes sir.

Q Are you living with him? A No sir, separated.

Q Do you make any claim for him? A No sir.

Q Have you any children? A No sir.

Q You make application only on behalf of yourself? A Yes sir.

Q Is there any additional statement you wish to make? A No sir.

Q Have you any written evidence you desire to offer the Commission in support of your application? A Only what I gave you.

(By the Commission)

Permission is granted attorney for applicant to file written evidence in support of application, provided same is filed within 15 days from the date hereof.

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future, at your present post office address.

E. Hastain, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 5th day of Nov. 1900, and that the above and foregoing is a true, full and correct transcript of his stenographic notes in said cause.

Nov Subscribed and sworn to before me this 30 day of Nov, 1900 at Muskogee, Indian Territory.

Guy L. P. Emerson
Notary Public

Ardmore, I. T. February 20, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. C. Kalls, of Atoka,
Indian Territory, any copies of the records in my case, that under
the rule of law the Commission may give out to Attorneys, as I
have employed him to assist me in this case.

WITNESSES TO NAME:

Jim X. Wagon
James L. Kirk

Maudie Kead
witness Griffith
mark

Muskogee, Indian Territory, August 30, 1902.

Mattie Reed,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonnie Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

M R

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estel-la Denton, Maria Hughes, Billy Denton, Hosio Denton, Anola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James S. Smith

Acting Chairman.

Registered.

M C R 999

Muskogee, Indian Territory, January 13, 1903.

Martie Reed,

Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is

M.Reed---2

not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

registered.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. B. BRACKENRIDGE.
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

W.O.B.
REFER IN REPLY TO THE FOLLOWING:

M.C.R. 999

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 4, 1905.

Martie Reed,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,


Chairman.

REFER IN REPLY TO THE FOLLOWING:

MOR-999

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 29, 1906.

Martie Reed,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully

Commissioner.

No. 999

For Identification as a Mississippi Choctaw.

Date NOV -5 1900
Name ^{rtia.} ~~Maudie~~ Reed.
Age 24. Blood 1/4
Post Office, Ardmore, S. D.
Father: Griff Denton - ✓
Mother: Annie Denton - ✓
Claims through father.

Children:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 5 1900

 ACTING CHAIRMAN.

REFUSED

DECISION RENDERED:

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 13 1902

RECORD FORWARDED DEPARTMENT.

JUN 29 1904

APPROVED BY
SECRETARY OF INTERIOR.

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

REF TO M. C. R. 960.

Miss Choc. D. 2

R. 960

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

999

Mattie Reed,

Indian Territory.



Choc - Chic



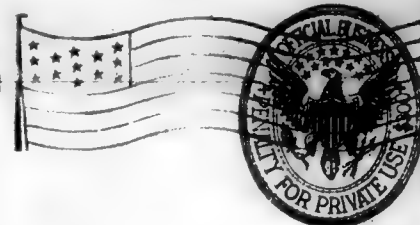
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

FEB -9 1905

[Signature]

CHAMAN.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



999
Miss. Ghostaw Div.

Mattie Reed,

Return to writer unclaimed.

~~Indian Territory~~



DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes

FILED
DEC - 7 1906

Commissioner.



Choc. MCR 1000

Texanna Hickman

MCR 1000

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

In the matter of the application for identification as Mississippi Choctaws, of Texanna Hickman and her two minor children:

TEXANNA HICKMAN, being duly sworn, testified as follows:

(By the Commission:)

- Q What is your name? A Texanna Hickman.
Q What is your age? A 42.
Q What is your post office address? A Ardmore.
Q Do you live at Ardmore? A Yes sir.
Q Is that in the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A About two years.
Q Have you maintained a continuous residence here for two years?
A Yes sir.
Q Where did you live prior to that time? A Paris Texas.
Q How long have you lived in Texas? A All my life, I reckon.
Q You were born there, and lived there all your life up until two years ago? A Yes sir.
Q How much Choctaw blood do you claim? A One-half.
Q What is your father's name? A Joe Denton.
Q Is your father living? A No sir.
Q What is your mother's name? A Emeline Petate.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Is your mother's name on any tribal rolls of the Choctaw Nation?
A I guess it is.

(By the Commission)

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of Emeline Pertate does not appear thereon.

- Q Is your name on any tribal rolls of the Choctaw Nation? A Yes sir.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A I don't know; they say I was recognized.
Q Have you by act of their Council; did they ever make you a citizen, or grant you any rights of citizenship? Who recognized you as a citizen; people who lived next door to you? A No sir.
Q When I talk about Choctaw Tribal Council, I mean the Council at Tuskahoma; did they ever recognize you by any acts? A Yes sir. by Indian blood.
Q When? A About two years ago at Colbert.
Q That is not the Choctaws; that is when the matter was before the Dawes Commission. A Yes sir.
Q Is that the first time you were ever recognized as an Indian?
A Yes sir.
Q You never were recognized then by the Choctaw tribal authorities; did they ever pass on your claim in any way? A I don't know sir.

#2.

- Q Don't you know that they never did? Did you ever make application to them? A No sir, but my mother did.
- Q To the Council at Taskohoma? A I reckon.
- Q What action did they take in your mother's application? A I don't know.
- Q Did you or anyone in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under act of Congress of June 10th, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the United States Courts in Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
- Q Have you ever, prior to this, made application to either the Choctaw tribal authorities or the authorities of the United States for either enrollment or citizenship as a Choctaw?
- A No sir.
- Q This is the first application of any description? A Yes sir.
- Q Did anybody ever make application for your prior to this time?
- Q Didn't your mother Emeline Pertate include you in the application she made for citizenship at Colbert? A Yes sir.
- Q Are you the identical person? A Yes sir.

(By the Commission)

Reference is made to application by Emeline Pertate, Mississippi Choctaw, D2 960)

- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you think you are entitled to be enrolled by this commission, under the 14th article of the treaty of 1830?
- A I have Indian blood in me.
- Q Do you make application under the 14th article of the treaty of 1830? A Yes sir.
- Q Did you or any of your ancestors ever comply with the provisions of article 14 of the treaty of 1830? A No sir.
- Q What was the name of your ancestor who resided in Mississippi, in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at the time a member of that tribe? A I don't know sir.
- Q Wasn't Emeline Pertate your mother? A Yes sir.
- Q Was she a resident of Mississippi in 1830? A Yes sir.
- Q Was she a recognized member of the Choctaw tribe of Indians?
- A Yes sir.
- Q Have you any evidence of that fact? Did any of your ancestors claim or receive any lands in Mississippi as beneficiary under the 14th article of the treaty of 1830? A No sir.
- Q Was your father, Joe Denton, ever a slave? A Yes, I guess he was.
- Q Were you ever in slavery? A As near as I can remember, I can't remember much about it.
- Q Was he owned by a Choctaw Indian? A No sir, he was a Creek.
- Q How long has he been dead? A He has been dead ever since the surrender.
- Q How much Creek Indian was he? A He was half.
- Q Did you ever make application to be enrolled as a Creek? A No sir.
- Q Did any of the relatives of Joe Denton--children or grand children?
- A No sir.
- Q Did any of them ever live in the Creek Nation? A No sir.

#3.

- Q Did any of them ever live in the Indian Territory prior to two years ago? A No sir.
- Q Do you make any claim by reason of any other treaty stipulation between the United States and Choctaw Indians besides the 14th article of the treaty of 1830? A No sir.
- Q Are you married? A No sir.
- Q Have you ever been married? A Yes sir.
- Q What is your husband's name? A James Hickman.
- Q Is he dead? A No sir, he is living.
- Q Are you living with him? A No sir.
- Q What is the matter; why aint you living with him? A He didn't want me.
- Q Did he quit you? A I quit him.
- Q Have you any children? A Two.
- Q By James Hickman? A Yes sir.
- Q Have you all your children with you? A Yes sir.
- Q Were you ever divorced from him? A Yes sir.
- Q Did the court give you custody of the children? A Yes sir.
- Q When were you divorced? A I can't remember the time; it has been a long time.
- Q About how long? A About 8 or 9 years.
- Q How long after William was born? A He wasn't born when we parted.
- Q Aint James Hickman William's father? A Yes sir.
- Q What are the names and ages of your two children? A Bessie 14, Willie 8.
- Q You are the mother of both these children, are you? A Yes sir.
- Q James Hickman is the father of them? A Yes sir.
- Q Both children always lived with you? A Yes sir.
- Q Is there any additional statement you desire to make in support of this application? A No sir.
- Q Have you any written evidence you desire to offer.

Attorney for applicant asks leave to file written evidence within 15 days.

(By the Commission)

Permission is granted attorney to file written evidence, provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission on behalf of your application and that of your two minor children will be mailed to you in writing in the near future at your present post office address.

E. Hastain being first duly sworn upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 5th day of Nov. 1900, and that the above and foregoing is a true, full and correct transcript of his stenographic notes in said cause.

Subscribed and sworn to before me this 30 day of Nov. 1900,
at Muskogee, Indian Territory.

E. Hastain
Guy L. Emerson
Notary Public

4
Arbore, J. W. February 12, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. W. Halls, of Atoka,
Indian Territory, any copies of the records in my case that
under the rules of law the Commission may give out to Attorneys, as
I have employed him to assist me in this case.

WITNESSED AND SENT:

Ben. L. H. H. H.

Ben. L. H. H. H.

E. E. Robertson

M.C.R. 1000

Muskogee, Indian Territory, August 30, 1902.

Texanna Hickman,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R. 960
Jennie Gray,	" 963
John Denton, et al.,	" 964
Estella Denton,	" 965
Maria Hughes,	" 966
Billy Denton, et al.,	" 967
Mary Ann Graves,	" 968
Claborn Denton, et al.,	" 969
Grif Denton, et al.,	" 970
Martie Reed,	" 999
Texanna Hickman, et al.,	" 1000
Jane Crisp, et al.,	" 1002
Bettie Watkins, et al.,	" 971
Claborn Denton, et al.,	" 972
Lula Robertson, et al.,	" 973
Joseph Hughes, et al.,	" 1016
Bonie Sutton, et al.,	" 1018

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

T H

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Mosie Denton, Mable Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Susan Esther Roberson, Norma May Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Markley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Sam. S. S. S.
Acting Chairman.

Registered.

M C R 1000

Muskogee, Indian Territory, January 13, 1903.

Texanna Hickman,

Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is

T.Hickman---2

not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Registered.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.
WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 1000

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

W.O.B.
Muskogee, Indian Territory, January 4, 1905.

Texanna Hickman,
Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Bessie Hickman and Willie Hickman, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING:

MCR-1000

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 29, 1906.

Texanna Hickman,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,



Commissioner.

Texana Nichols d 42 1/2
Bessie " 14 1/2
Willie " 8 1/2

No. 1000

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Alexandra Hickman.

Age 42, Blood 1/2.

Post Office, Ardmore, I. T.

Father: Joe Denton - dead

Mother: Emeline Bertate - ✓

Claims through mother.

HUSBAND: James Hickman - ✓
(No claim for husband).

Children:

Bessie Hickman 14
Willie " " 8.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900



ACTING CHAIRMAN.

REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 18 1902

RECORD FORWARDED DEPARTMENT.

JUN 20 1904

**ACTION APPROVED BY
SECRETARY OF INTERIOR.**

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 1 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

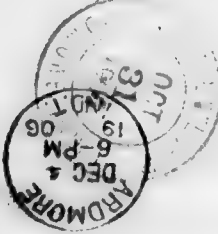
TER TO M. C. R. 960.

is Cho. D. 2.

Department of the Interior.
Commissioner to the Five Civilised Tribes,
MUSKOGEE, IND. TER.



10001



Tex. Hickman,
~~Indian Territory~~
~~At least better maintained~~

IND. FILE
DEC 5 1806
SOM

DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes.

FILED

DEC - 7 1806

Commissioner.

RECEIVED
OCT 31
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1806



Department of the Interior.
Commission to the Five Civilised Tribes,
MUSKOGEE, IND. TER.



0001
Texas Hickman,
Returned to Writer.



Chas. Chis.



DEPT. OF THE
COMMISSION TO THE
FILL

FEB - 9 1905

[Handwritten signature]

CHAIRMAN

X/236
236



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.



Texanna Hickman,

Return to writer unclaimed.
Return to writer unclaimed.

584

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.
FILED
FEB 26 1903

[Signature]
ACTING CHAIRMAN

REGISTERED
FEB 24 1903
MUSKOGEE INDIAN TER.

REGISTERED
JAN 19 1903
ADMORE I.T.

Choc. MCR 1001

Ota White

See MCD 1

MCR 1001

REF TO M. A. 2-1

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 21 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 1001.

In the matter of the application for identification of
Ota White and J. L. White as Mississippi Choctaws, made by
their father E. S. White, E. S. White, being duly sworn,
testified as follows:

Examination by the Commission:

- Q What is your name? A E. S. White.
Q What is your age? A 52.
Q What is your post office address? A Ryan, Indian Territory.
Q You claim to be a Mississippi Choctaw by blood?
Q No sir, not myself, I claim for my children through my wife.
Q Is your wife living or dead? A My wife is dead.
Q What is the name of your oldest child? A Ota White.
Q How old? A 19.
Q She married? A No sir.
Q What is the name of the next? A J. L. White.
Q How old is he? A 13 years old.
Q These are your children? A Yes sir.
Q What is the name of their mother? A Lucinda White.
Q You are making application as father of these children for
their identification as Mississippi Choctaws? A Yes sir.
Q Under whom is their claim made? A Their mother.
Q How much Choctaw blood did she have? A I think she claimed
about 1/8.
Q Under whom did she claim her right? A Her mother.
Q What was her mother's name? A Louisa Martin.
Q Was her father a white man? A Yes sir.
Q What was his name? A John S. Martin.

Q How long has your wife been dead? A 4 years.
Q Do you remember the date of her death? A July 26 four
years ago.
Q In 1896? A Yes sir.
Q How long have you been living at Ryan, Indian Territory?
A A little over four years.
Q These children living with you? A With me and my oldest
daughter.
Q But are they living with you? A I am living with my oldest
daughter.
Q Do you support these children? A Me and my son-in-law.
Q Where did you live before you lived in Ryan? A Texas.
Q How long in Texas? A 31 years.
Q Ever live in Mississippi? A No sir.
Q Do you know whether your wife was ever enrolled on the tribal
rolls of the Choctaw Nation? A I do not.
Q Was she ever recognized by the tribal authorities as a
citizen of that Nation? A I do not know.
Q Do you know whether she ever made application to the Dawes
Commission for enrollment previous to this date? A Never did.

- Q Did anyone ever make application for the enrollment of these children to the Dawes Commission? A No sir.
- Q Is this the first application that has ever been made for their identification as Mississippi Choctaws?
- A Yes sir.
- Q What proof have you that these children are lineal descendants of a Mississippi Choctaw? A I have affidavits.
- Q Have you these affidavits ready so that you can submit them now? A My father-in-law has them down town at the hotel.
- Q Do you wish to submit them today? A Yes sir.
- Q When and where were you married to Lucinda White? A In Missouri, 28 years ago.
- Q Can you give the exact date? A I was married June 10, 28 years ago.
- Q Under the laws of the state of Missouri? A Yes sir.
- Q Have you your marriage license and certificate? A No sir, they did not issue license in that state then.
- Q Have you any documentary proof of any kind that you were married to Lucinda White? A I have witnesses here.
- Q You have witnesses here? A Yes sir.
- Q Are you ready to have these witnesses sworn and testify here? A Yes sir.
- Q To prove your marriage to Lucinda White? A Yes sir.

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application, including proof of marriage, within 15 days from this date.

Commission:

Motion by the attorney for the applicant is granted provided the same is filed within 15 days from the date of this hearing.

- Q What is the name of the ancestor who lived in Mississippi in 1830 under whom these children now claim the right to be identified as Mississippi Choctaws? A A William Harris.
- Q What relation was William Harris to Lucinda White, your wife? A Great grandfather.
- Q The great grandfather of your wife, Lucinda White? A Yes.
- Q Did he live in Mississippi in 1830? A I think he did.
- Q Do you know whether he took advantage of the treaties that were made in 1830? A I do not.
- Q Do you know whether he took advantage of the provisions of article 14 of the treaty of 1830? A I do not.
- Q Did he ever own land in Mississippi? A I cannot tell.
- Q Is there anything further that you would like to state in support of this application for identification as Mississippi Choctaws, which you make in behalf of your two minor children? A No sir.

The decision of the Commission in regard to this application which you make in behalf of your two minor children will be mailed to you in writing in the near future at your present post office address.

1001 — 3 —

Kate De Bord, being first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

14 day of November 1900.

Guy L. V. Emerson

Notary Public.

Muskogee, Indian Territory, November 29, 1901.

E. S. White,
Ryan, Indian Territory.

Dear Sir:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Wannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 8, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of your two minor children, Ota and J. L. White, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

N. B. W.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.C.-1001

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMM SIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 1001

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

H. S. White,

Muskogee, Indian Territory, March 15, 1902.

Ryan, Indian Territory,

Dear Sir:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al.,

embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

2

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

" 'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.' "

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississippi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *I. B. Needles.*

Commissioner in Charge.

Registered.

M C R - 1002

Muskogee, Indian Territory, April 24, 1902.

Mr. White,

Care of E. F. White,

Ryan, Territory.

Dear Madam:

You are hereby advised that on the 13th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 13th day of March, 1902.

Yours truly,

Acting Chairman.

M.C.R. 1001.

COPY

Muskogee, Indian Territory, November 16, 1906.

Ota White,

Care of E. S. White,

Ryan, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED *Tams Bixby.*
Commissioner.

For Identification as a Mississippi Claimant

Date NOV - 5 1900

Name *E. J. White appearing*

Age *52* Blood

Post Office, *Ryan, I. T.*

Father:

Mother:

Claims through .

Children:

Ota White - { 19

J. L. White - { 13

Mother

*Lucinda White - d.
she claimed 1/8 - she claimed
under her mother - Louisa
Martin. Her father J. O. M. S.
Martin was white.*

FILED

NOV 5 1900

COMMISSION TO FIVE TRIL

Choc. MCR 1002

Jane Crisp

MCR 1002

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 5, 1900.

NO. 1002.

In the matter of the application of Jane Crisp for identification as a Mississippi Choctaw. Jane Crisp, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Jane Crisp.
Q What is your age? A 40 years old.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you lived in the Indian Territory?
A Two years.
Q Lived there continuously for two years? A Yes sir.
Q Where did you live prior to your residence in the Indian Territory? A I lived in Paris, Texas.
Q How long in Texas? A All my life.
Q Born there? A Yes sir.
Q How much Choctaw blood do you claim? A Claim to be one-half Mississippi Choctaw.
Q What is your father's name? A Joe Denton.
Q Joe Denton living? A No sir.
Q Was Joe Denton a Negro? A 1/8 Negro and 1/8 Creek. Indian.
Q How long has he been dead? A Been dead a long time. I do not know, ever since I can remember.
Q What is your mother's name? A Emaline Coffey.
Q Her maiden name, Pertate? A Yes sir.
Q She living? A Yes sir.
Q Through which parent do you claim your Choctaw blood?
A Through my mother.
Q Was your mother's name on any of the Choctaw tribal rolls?
A Yes sir.
Tribal rolls of the Choctaw Nation examined, and the name of Emaline Pertate does not appear thereon.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not that I know of it aint.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation? A No sir.
Q Did you, or anyone in your behalf, in 1896, make application to this Commission for citizenship under the act of Congress of June 10, 1896? A My mother, two years ago.
Q That was 4 years ago? A No sir, not 4 years ago.
Q Have you ever been admitted to citizenship by a judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A I do not know.
Q You know you haven't? A I did not.
Q Did you ever make application prior to this time to either the tribal authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.

Q Any application ever been made for you? A Yes sir, my mother made application for me.

Q You are the identical Jane Crisp for whom application was made by your mother, Emaline Pertate at Colbert, Indian Territory in 1898? A Yes sir, I am the one.

Reference is made to Mississippi Choctaw case D-2 No. 960, Emaline Pertate.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830?

A Well, because I am one half Choctaw and my mother is a full blood..

Q You are claiming your rights under the provisions of the 14th article of the treaty of 1830? A Yes sir, I suppose so—I do not know what is it—but I suppose so.

Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830?

A Not that I know of.

Q Was Emaline Pertate a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I do not know—I reckon she was—she was a Mississippi Choctaw.

Q Did any of your ancestors ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A No sir, not that I know of.

Q Do you make any claim by reason of any other treaty stipulations between the Choctaw Indians and the United States?

A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Tobe Crisp.

Q He living? A Yes sir.

Q You making any claim for him? A No sir.

Q What is he? A He is a mixed breed Osage Indian.

Q How much Osage Indian is he? A About 1/2; his father is an Osage Indian.

Q Did he ever draw any money with the Osage Indians?

A No sir.

Q Have you any children? A Me? Yes sir.

Q Under 21 years of age and unmarried? A Yes sir, I have six under 21 years of age.

Q What are their names and ages? A John Henry 20 years old.

Q He was 19 two years ago. A No sir, she didn't get it right..

Q Next one? A Robert S., 18; Carrie, 13 years old; Sallie May, 10.

Q Next one? A Jinnie Bita, 6.

Q Next one? A Sampson.

Q How old? A Two years old.

Q You the mother of these six children? A Yes sir.

Q Tobe Crisp the father? A Yes sir.

Q These children all live with you at your home? A Yes sir.

Q Is there any additional statement that you desire to make?

A No sir.

Q Any written evidence that you desire to offer the Commission for its consideration? A (No answer)

Attorney:

Here attorney for applicant asks leave to file written evid-

ence within 15 days from this date.
Commission

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is filed within 15 days from the date hereof.

The decision of the Commission as to your application, and the application you make on behalf of your six minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 14 day of November 1900.

L. J. Emerda
Notary Public.

Ardmore, I. T. January 19, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Rills, of Atoka
Indian Territory, any copies of the records in my case that under
the rule of law the Commission may give out to Attorneys as I
have employed him to assist me in this case.

WITNESSES TO MARK:

J. G. Rills

Jane Crish

Ardmore, I. T. January 14, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to W. G. Wells, of Atoka, Indian Territory, any copies of the records in my case that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

W. G. Wells, Atoka:

Marriott ^{his} ~~Hugh~~ _{mark}

John Corry

Muskogee, Indian Territory, March 15, 1901.

Messrs Hudson & Arnold,

Armore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 9, inclosing marriage licenses as follows:

Certified copy of marriage license and certificate between Scott Sutton and Bessie Denton, for filing in support of the application for identification as Mississippi Choctaws of Bessie Sutton, et al.

Certified copy of marriage license and certificate between Clayborne Denton and Queenie Wright, for filing in support of the application of Clayborne Denton et al for identification as Mississippi Choctaws.

Certified copy of marriage license and certificate between Tebe Crisp and Miss Jane Denton, to be filed in support of the application for identification as Mississippi Choctaws of Jane Crisp, et al.

Marriage license and certificate between George E. Robinson and Lula B. Denton, to be filed with the application of Lula Robinson for identification as Mississippi Choctaw. The papers have been duly filed with the cases named.

MC 972
MC 973
MC 1002
MC 1018

Yours truly,

Acting Chairman.

M.C.R. 1002

Muskogee, Indian Territory, August 30, 1902.

Jane Crisp,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Mattie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonic Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

J C

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosi Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

M C R 1002

Muskogee, Indian Territory, January 13, 1903.

Jane Crisp,

Ardmore, Indian Territory.

Dear Madam:

The Secretary of the Interior with his letter of December 16, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Eueline Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

Jane Crip---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman,

Registered.

M C R 1002

Muskogee, Indian Territory, May 20, 1903.

Jane Crisp,

Armore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 18th instant, in which you state "I am a daughter of Maline Coffe. I have a farm here and I wish to ask what steps I must or can take to protect my place, to keep others from filing on the place."

In reply you are informed that it appears from our records that you made application to this Commission for the identification of yourself and minor children as Mississippi Choctaws, your application being made a part of the consolidated Mississippi Choctaw case of Maline Coffey, et al.

The several persons included in this consolidated case now occupy the status of applicants for identification as Mississippi Choctaws, whose rights to such identification have in no manner been determined, and it is not believed that you are at the present time in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

M C R 1002

Muskogee, Indian Territory, November 27, 1903.

Jane Crisp,
Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 18th instant, in which you state that you are a daughter of Emeline Coffey; that your application for identification as a Mississippi Choctaw has been consolidated with the case of your mother, and ask what disposition has been made of said consolidated case. You further ask to be advised if you would be safe in buying land with improvements thereon, as the allotment of your deceased mother.

In reply you are informed that the rights of the several applicants included in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., to be identified as Mississippi Choctaws have not yet been finally determined, and it is not believed that you are at this time in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

There is enclosed you herewith a blank for proof of death which you are requested to fill out and return to this office in order that your mother's death may be made a matter of record.

Respectfully,

D. C.

Chairman.

H.C.A. 1002

Muskogee, Indian Territory, May 31, 1904.

John H. Grier,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, in which you ask what disposition has been made of the consolidated Mississippi Choctaw case of Emeline Coffey, et al.

You state that you are one of the applicants in said case.

In reply to your letter you are informed that the rights of the several applicants included in the consolidated Mississippi Choctaw case of Emeline Coffey, et al., to be identified as Mississippi Choctaws, have not yet been finally determined by the Commission.

Respectfully,

Chairman.

M.C.R. 1002

COPY.

Waskagee, Indian Territory, January 4, 1905.

Jane Crisp,

Ardmore, Indian Territory,

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, John Henry, Robert S., Carrie, Sallie May, Jinnie Etta and Sampson Crisp, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

Lewis Birby
Chairman.

MCN-2002

Wuskogee, Indian Territory, October 29, 1906.

Jane Crisp,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

No. 1002

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Gene Crisp.

Age 40. Blood 1/2.

Post Office, Ardmore, I. T.

Father: Joe Newton - dead.

Mother: Emeline Bertate - ✓

Claims through mother.

HUSBAND:

Wobe Crisp. - ✓
(No claim for husband).

Children:

John Henry Crisp. 20

Robert L. " 18

Carrie " 13

Lillie May " 10.

Gimmie Etta " 6.

Sampson " 2.

FILED

NOV 5 1900

COMMISSION TO FIVE TRIBES.

REFUSED

DECISION RENDERED.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATION

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

**REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.**

DEC 18 1902

RECORD FORWARDED DEPARTMENT.

JUN 20 1904

**ACTION APPROVED BY
SECRETARY OF INTERIOR.**

DEC 16 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

ER TO M. O. R. 960

see also Ch. 2

Choc. MCR 1003

John B. Vernon

MCR 1003

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

—o—

NO. 1003.

In the matter of the application for identification as Mississippi Choctaws of John B. Vernon and his six minor children. John B. Vernon, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A John B. Vernon.
Q What is your age? A 39 years.
Q What is your post office address? A Johnson.
Q Indian Territory? A No sir, Arkansas.
Q You a resident of the State of Arkansas? A Yes sir.
Q How long have you resided there? A Raised there— about 36 years, I guess.
Q Continuously for the past 36 years? A No, the last time about 12 years. I have lived in the Chickasaw Nation.
Q Where did you live before your last residence in Arkansas? A Chickasaw Nation.
Q When? A In 1884.
Q How long? A Two years, 1883 and 1884.
Q Ever live in Mississippi? A No sir.
Q Ever make your residence anywhere else besides Arkansas and the Indian Territory? A No sir.
Q The only two years that you had a residence in the Indian Territory were 1883 and 1884? A Yes sir.
Q Where were you residing then? A Pauls Valley and Silver City.
Q How much Choctaw blood do you claim? A About 1/8, I suppose..
Q What is your father's name? A Pleasant H. Vernon.
Q Your father living? A No sir.
Q What is your mother's name? A Lucinda A. Vernon.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A Father.
Q How long has your father been dead? A He died in 1867.
Q Was he ever recognized in his life time as a citizen of the Choctaw Nation by the tribal authorities? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q You ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized in any manner by the Choctaw tribal authorities as a citizen of that Nation? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship under the act of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission?
A No sir.
Q Have you ever prior to this time made application to either the tribal authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enroll-

ment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Well I have always heard from a boy that I have a right, but I have no proof, that I know of that I am part Choctaw.

Q You make your claim under the provisions of the 14 article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that treaty? A Not that I know of.

Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A I do not know that I can give you his name. I have no record of our grandparents at all.

Q You make your claim as a beneficiary under the 14 article of the treaty of 1830? A Well, no, I do not know that I am.

Q You are making application for identification as a Mississippi Choctaw? A Yes sir, my ancestors were.

Q Are you making application for identification as a Mississippi Choctaw? A Yes sir.

Q The only authority vested in this Commission to hear and determine the rights of applicants for identification as Mississippi Choctaws is contained in the act of June 28, 1898, which provides; "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article 14 of the treaty between the United States and the Choctaw Indians, concluded September 27, 1830. You state that you make your application under that treaty? A I do not just remember what that treaty is.

Q Is that the provision of the treaty that you make your application under? A No sir.

Q The only authority vested in this Commission is to hear and determine the identity of those who claim under the 14 article of the treaty of 1830. This Commission knows of no other act, or part of an act, empowering it to hear claims of Mississippi Choctaws except those who do claim under the 14 of the treaty of 1830. A I do not know as I understand that.

Q Do you make your claim under the 14 article of the treaty of 1830? A Yes sir.

Q You stated that you did not know whether your ancestors ever received or claimed any land in Mississippi? A I do not know that they did, but I never understood that they did.

Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians? A I could not tell you what is his first name: Vernon, though.

Q What relation was he to you? A I could not tell you.

Q Did any of your ancestors ever receive or claim any land as beneficiaries under the 14 article of the treaty of 1830?

A I do not know.

Q Do you make any claim under any other treaty stipulations between the United States and the Choctaw Indians?

A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Edna K. Vernon.

Q Do you make any claim for her? A No sir.
 Q She a white woman? A Yes sir.
 Q How old is she? A 33 years.
 Q Where did you marry her? A In Arkansas.
 Q When? A In 1888.
 Q She the mother of your children? A Yes sir.
 Q Have you your marriage license and certificate? A Yes sir.
 Q Do you wish to offer it in evidence? A Not with me.
 Q It will be necessary for the Commission to be supplied with evidence of your marriage to Edna Vernon in the matter of the application for identification of your children. What are the names and ages of your children under 21 years of age and unmarried, for whom you wish to make application?
 A Charlie H., 10; John J., 9; George, 7; Bessie, 6; Carl, 3, and Gladys Lillian, she is one.
 Q You the father of these six children? A Yes sir.
 Q Edna Vernon, the mother? A Yes sir.
 Q These children live with you at your home? A Yes sir.
 Q Their claim has the same foundation as yours? A Yes sir.
 Q Is there any additional statement that you desire to make in support of your application? A No sir.
 Q Any written evidence that you desire to offer? (No answer).

Attorney:

Attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing within 15 days from the date hereof.

Attorney:

Q You say you reside in Arkansas? A Yes sir.
 Q Is it your intention to remove to the Indian Territory?
 A Yes sir.
 Q For the purpose of making this your home? A Yes sir.
 Q Have you any relatives that are now on the rolls? A Yes sir.
 Q Who? A D. B. Vernon.
 Q How is D. B. Vernon related to you? A First cousin.
 Q Is the Indian blood that you claim and that of D. B. Vernon your first cousin, from the same line of ancestors? A Yes sir.
 QQ What is your father's name? A Pleasant H. Vernon.
 Q And what was his father's name? A Samuel G. Vernon.
 Q Have you collected the evidence in this case, or have you relied upon the evidence that has been procured in the D. B. Vernon case? A On the D. B. Vernon case.

Commission:

Q How did D. B. Vernon become a citizen of the Choctaw Nation?
 A I do not know. I suppose that he presented his claim to the Commission.
 Q Under the act of Congress of June 10, 1896?
 A I could not say.
 Q He was admitted to citizenship in the Choctaw Nation by judgment of the United States Court was he not?
 A I think so.
 Q Were you a party in that case? A No sir.
 Q Was your name in the judgment? A No sir.
 Q Were you a party to that act in any way? A No sir.

The decision of the Commission as to your application and the application you make in behalf of your six minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me

this 14 day of November, 1900.

Guy L. V. Emerson
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John B. Vernon for the identification of himself and his minor children, Charlie H., John J., George, Bessie, Carl and Gladys Lillian Vernon, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that John B. Vernon appeared before the Commission at Muskogee, Indian Territory, November 5th, 1900, and there made application for the identification of himself and his minor children, Charlie H. Vernon, John J. Vernon, George Vernon, Bessie Vernon, Carl Vernon and Gladys Lillian Vernon, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No.162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of John B. Vernon and his minor children, Charlie H. Vernon, John J. Vernon, George Vernon, Bessie Vernon, Carl Vernon and Gladys Lillian Vernon, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory
this _____ day of _____ 1901.

ACTING CHAIRMAN.

Muskogee, Indian Territory, January 28, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 18, inclosing marriage license and certificate between John B. Vernon and Miss Edna Johnson, to be filed in support of the application of John B. Vernon for identification of his children as Mississippi Choctaws. The same has been duly filed with the other papers in this case.

Yours truly,

M.C. 1003

Acting Chairman.

Muskogee, Indian Territory, September 12, 1901.

Mr. John ~~B~~ Vernon,
Johnson, Arkansas.

Dear Sir:

In the matter of the applications for identification as
Mississippi Choctaws of

Richard H. Vernon, et al.,
Annie Payne, et al.,
Charlie P. Vernon, et al.,

you are informed that under date of July 25, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

Our records show that you appeared before this Commission at Muskogee, Indian Territory, on November 5, 1900, and applied for the identification as Mississippi Choctaws of yourself and six minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Atoka, Indian Territory, on Monday, November 11,

J.D.V. #2

1901, at 9:00 o'clock A.M. there will be heard the testimony of such witnesses as you may desire to present in person in support of your application.

Yours truly,

M.C. 1003

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON I. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

U. C. R. 1003

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

MARKHAM, Indiana, May 11, 1902.

JO. H. HARRISON,

JO. HARRISON, Attorney.

DEAR SIR:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Richard H. Vernon, et al., embracing the following applications for identification as Mississippi Choctaws:

Richard H. Vernon, et al.,	M. C. R.	157
Annie Payne, et al.,	M. C. R.	158
Charlie P. Vernon,	M. C. R.	164
Hettie E. Buchanan, et al.,	M. C. R.	375
James C. Kelley, et al.,	M. C. R.	377
James F. Vernon, et al.,	M. C. R.	378
Mary Stanfield, et al.,	M. C. R.	805
David G. Vernon, et al.,	M. C. R.	807
Christie Croan, et al.,	M. C. R.	808
Frank McDonough,	M. C. R.	809
Ida McDonough,	M. C. R.	810
Mary McDonough,	M. C. R.	811
John T. Vernon,	M. C. R.	812
George W. Vernon, et al.,	M. C. R.	813
William Stanfield,	M. C. R.	814
William L. Vernon, et al.,	M. C. R.	815
Sarah A. McDonough, et al.,	M. C. R.	876
John Frederick Halfacre, et al.,	M. C. R.	878
Mary M. Goodman, et al.,	M. C. R.	880
John B. Vernon, et al.,	M. C. R.	1003
Nancy A. McKinnon, et al.,	M. C. R.	1017
Lovilla A. Holland, et al.,	M. C. R.	1018
Oliver P. Vernon, et al.,	M. C. R.	1296
Elderage C. Vernon, et al.,	M. C. R.	1299
Charlie S. Vernon, et al.,	M. C. R.	1300
Francis M. Vernon, et al.,	M. C. R.	1362
Jefferson Vernon, et al.,	M. C. R.	1406
James M. Vernon, et al.,	M. C. R.	1480
Fannie F. Elliott,	M. C. R.	3571
Minous J. Elliott, et al.,	M. C. R.	3572
Knacy T. Elliott,	M. C. R.	3573
Charles M. Elliott, et al.,	M. C. R.	3574
James L. Elliott, et al.,	M. C. R.	3575

Walter J. Elliott,	M. C. R.	3576
Robert S. Elliott,	M. C. R.	3577
Martha A. Gibson, et al.,	M. C. R.	3578
Martha Jane Hughey, et al.,	M. C. R.	4301
Bertha M. Bryant, et al.,	M. C. R.	1444
Matilda E. Jefferson, et al.,	M. C. R.	4330
Maggie H. E. Holloway, et al.,	M. C. R.	5443

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Richard H. Vernon, Pearly May Vernon, Minnie Irene Vernon, Otha Ellen Vernon, Annie Payne, Virgil Payne, Walter Elbert Payne, Charlie P. Vernon, Hettie E. Buchanan, Charles H. Buchanan, Mary F. Buchanan, James Wm. Buchanan, Eddie E. Buchanan, Lucy A. Buchanan, Gracie E. Buchanan, James C. Kelley, Mary A. Kelley, Mattie L. Kelley, Andrew I. Kelley, Chaude G. Kelley, Howard A. Kelley, Johnnie B. Kelley, Steller V. Kelley, James F. Vernon, Myrtle A. Vernon, Benjamin B. Vernon, Willie B. Vernon, Maudie U. Vernon, Johnnie L. Vernon, Samuel A. Vernon, Mary Stanfield, James Stanfield, Luannie Stanfield, Alice Standfield, Frank Stanfield, David G. Vernon, Emma J. Vernon, John Yancy Vernon, Rob. C. Vernon, Samuel Henry Vernon, Lula May Vernon, Christie Croan, Edith Croan, Edward Croan, Stella Croan, Frank McDonough, Ida McDonough, Mary McDonough, John T. Vernon, George W. Vernon, Rhodie Parelee Vernon, Leurah Glades Vernon, William Stanfield, William L. Vernon, Mary E. Vernon, Nevada Edna Vernon, Willie B. V. Vernon, Lula B. Vernon, Roy G. Vernon, Sarah A. McDonough, Thomas Edwards McDonough, Perry Washington McDonough, John Frederick Halfacre, John Everett Halfacre, Charley Alonzo Halfacre, Solon Sylvester Halfacre, Frederick Audustus Halfacre, Thomas Edwin Halfacre, Rosa Lee Halfacre, Annie May Halfacre, Mary M. Goodman, Sudie Irene Goodman, Mary Cleveland Goodman, William Clyde Goodman, Noma Ethel Goodman, Gus Adolph Goodman, Maggie Jensey Goodman, John B. Vernon, Charlie H. Vernon, John J. Vernon, George Vernon, Bessie Vernon, Carl Vernon, Gladys Lillian Vernon, Nancy A. McKinnon, George P. McKinnon, David McKinnon, John C. McKinnon, James A. McKinnon, Newton G. McKinnon, Adelbert A. McKinnon, Lovilla A. Holland, Ernest Ray Holland, Elbert Clair Holland, Roy Cecil Holland, Oliver P. Vernon, Nancy Agnes Vernon, Exer C. Vernon, Odis C. Vernon, Elderage C. Vernon, William N. Vernon, Calla R. Vernon, Henry D. Vernon, Addie C. Vernon, Elderage C. Vernon, Charlie C. Vernon, Verdice E. Vernon, Charlie S. Vernon, Ernest Vernon, Amos Vernon, Florence Vernon, Francis M. Vernon, Ida B. Vernon, John M. Vernon, Nancy L. Vernon, Altie L. Vernon, Jefferson Vernon, Robert R. Vernon, Edna E. Vernon, Lydia E. Vernon, James M. Vernon, Eddie K. Vernon, James O. Vernon, Arthur B. Vernon, Maudie L. Vernon, Fannie F. Elliott, Minous J. Elliott, Callie Elliott, Knacy T. Elliott, Charles M. Elliott, Jessie C. Elliott, Thomas J. Elliott, Garnet A. Elliott, Charles M. Elliott, Jr., James L. Elliott, William H. Elliott, Walter J. Elliott, Robert S. Elliott, Martha A. Gibson, Paul E. Gibson, Nellie L. Gibson, Martha Jane Hughey,

James Nehemiah Hughey, Dora Hughey, Thomas Hughey, Lizzie Hughey, Clarence Hughey, Dewey Hughey, Charles M. Hughey, Bertha M. Bryant, Dollie M. Bryant, Matilda E. Jefferson, William Walter Jefferson, Clarence Virgill Jefferson, Jennie Grace Jefferson, Homer Vernon Jefferson, Maggie H. E. Holloway, Lucille Frances Holloway and Minnie Lee Holloway, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. A. ...

Acting Chairman.

Registered.

M.C.R. 1003.

Muskogee, Indian Territory, November 15, 1906.

John B. Vernon,
Johnson, Arkansas.

Dear Sir:

You are hereby notified that the Secretary of the Interior on November 5, 1906, denied the motion filed with this office by Albert J. Lee, attorney at law, Ardmore, Indian Territory, on June 23, 1906, for reconsideration of the consolidated Mississippi Choctaw case of Richard H. Vernon, et al.

Respectfully,

Game B. by
Commissioner.

M.C.R. 1003.

Muskogee, Indian Territory, November 22, 1902.

John P. Vernon,

Johnston, Arkansas.

Dear Sir:

You are hereby advised that on the 11th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Richard H. Vernon, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,

(SIGNED).

Acting Chairman.

No. 1003

For Identification as a Mississippi Choctaw.

Date NOV -5 1900

Name John B. Vernon.

Age 39. Blood $\frac{1}{8}$

Post Office Johnson, Ark.

Father: Pleasant H. Vernon dead

Mother: Lucinda A. Vernon-dead

Claims through father.

WIFE:

Edna Vernon - 32
(No claim for wife).

Children:

Charley H. Vernon	10
John J. "	9
George "	7
Bessie "	6
Harl "	3
Stadys L. "	1

NOV 5 1900

DECISION RENDERED.

MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 31 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 31 1902

RECORD FORWARDED DEPARTMENT.

MAY 31 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOV 22 1902

REFER TO M. C. R. 157

Choc. MCR 1004

James M. Martin

See MCD 1

MCR 1004

CHOC TAW
James M. Martin et al
REFER TO M. O. & D. I.

REFUSED.

DECISION RENDERED. **MAR 3- 1902**

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 1004.

In the matter of the application for identification as Mississippi Choctaws of James M. Martin and his four minor children. James M. Martin, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A James M. Martin.
Q What is your age? A 36.
Q What is your post office address? A Ardmore, Indian Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
A Since January 1898.
Q Have you maintained a continuous residence in the Indian Territory since that time? A I have.
Q Where did you live prior to your residence in the Indian Territory? A Clay County, Texas.
Q How long were you a resident of Texas? A About 20 years.
Q Where did you live prior to that time? A I was born in Texas and my parents moved to Missouri.
Q You stated that you had resided in the Indian Territory for the past two years, and previous to that time you maintained a residence in Texas for about 20 years— where did you live prior to that time? A In Missouri.
Q How long in Missouri? A I could not say. Some 8 or 10 years.
Q Where did you live prior to that? A In Cook County, Texas.
Q Born in Cook County, Texas and then moved to Missouri?
A Yes sir.
Q And came back to Texas and resided there 20 years and removed to the Indian Territory in January, 1898? A Yes sir.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your father's name? A John S. Martin.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Louisa Martin.
Q Is your mother living? A She is dead.
Q Through which of your parents do you claim your Choctaw blood?
A Through my mother.
Q How long has your mother been dead? A About 4 years. I think she died in 1896.
Q Was her name on any of the tribal rolls in the Indian Territory? A I could not say.
Q Was your mother ever recognized by the tribal authorities of the Choctaw Nation as a citizen? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A Never did.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?
A No sir, did not.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory, on appeal from the decision of the Choctaw tribal authorities, or the decision of this Commission? A No sir.
- Q Have you ever prior to this time made any application to either the tribal authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A I have not.
- Q This is your first application of any description? A Yes. In 1898 I believe that petition was filed.
- Q This is the first time that you have personally made any application to this Commission? A Yes sir.
- Q An application was made for you by John S. Martin in 1898? A Yes sir.
- Q You were included in that application? A Yes sir.
Reference is made to the application of John S. Martin for identification as a Mississippi Choctaw, Field Card, No. D-1.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian, entitled to rights in the Choctaw lands under the provisions of article 14 of of the treaty of 1830? A Because I have always been taught that I was 1/8 Choctaw.
- Q You are making your application under the provisions of the 14 article of the treaty of 1830? A Yes sir, and all other treaties that protect the rights of Mississippi Choctaws.
- Q The only authority vested in this Commission is contained in the act of Congress of June 28, 1898, which provides that "Said Commission shall have authority to determine the rights of Choctaw Indians claiming under the provisions of the 14th article of the treaty of 1830." Do you make your application under that article of that treaty? A Yes sir.
- Q Did you or any of your ancestors ever comply with the provisions of that treaty? A I could not say about that.
- Q What is the name of your ancestor who resided in Mississippi in 1830, at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A .
- A My mother resided in Mississippi; at what time I could not say..
- Q What was the name of your ancestor who resided in Mississippi in 1830, at the time this treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe?
- A I could not say in regard to 1830, of my own personal knowledge.
- Q Did any of your ancestors through whom you claim this right to identification ever receive, or claim, any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A I do not know.
- Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians?

A I claim as a Mississippi Choctaw and under all treaties that protect Mississippi Choctaws.

Q What other treaties or parts of treaties give rights to applicants for identification as Mississippi Choctaws?

A I do not know.

Q Under what other treaties do you claim? A I say I do not know— under all the treaties.

Q What do you claim under all the treaties? A I claim 1/8 Mississippi Choctaw.

Q You are making application for identification as a Mississippi Choctaw? A Yes sir.

Q And as I read to you the law only gives this Commission right to hear and identify parties claiming under the 14 article of the treaty of 1830; now you say that you do claim under other treaties. A Just as I answered you, I am claiming under the treaty of 1830.

Q Under what provisions of that treaty? A The 14 article.

Q Now you say you claim under other treaties? A Not necessarily.

Q Do you, or do you not? A Well, I do not know as I do.

Q Do you, or do you not? A Of course, as far as—

Q Do you make any claim by reason of any other treaty stipulations between the Choctaw Indians and the United States?

A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Irene Martin.

Q You making any claim for her? A No sir.

Q She a white woman? A Yes sir.

Q Did she ever make any claim to Indian citizenship by blood?

A No sir.

Q How old is she? A 34.

Q Is she the mother of your children? A Yes sir.

Q Where did you marry her? A Clay County, Texas.

Q When? A In November, 1888.

Q Married to her in accordance with the laws of the state of Texas? A I was.

Q Have you your marriage license and certificate? A Yes sir.

Q Do you wish to offer them in evidence? A Yes sir, I do.

Q What are the names and ages of your children for whom you desire to make application? A Dollie Lee, 11 years old; Jimmie C., 5 years old; Violet, 3 years old, and Vivian, 3 years old.

Q That all of them? A Yes sir.

Q Are you the father of these four children? A I am.

Q Irene Martin, the mother? A Yes sir.

Q These children all live with you at your home? A Yes sir.

Q Their claim is identical with yours? A Yes sir.

Q Any additional statement that you desire to make in support of this application? A No.

Q Is there any written evidence that you desire to offer this Commission in support of your application? A Yes.

Attorney:

Here attorney for applicant offers in evidence a certified copy of the testimony of John Pistole, and James Allen; also marriage license and affidavits of J. M. Jones and Eliza Martin, and asks that the same be marked as exhibits and filed as a part of the evidence in this case.

NO. 1004

The decision of the Commission as to your application, and the application you make on behalf of your four minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me
this 14 day of November 1900.

Guy L. P. Emerson
Notary Public.

Muskogee, Indian Territory, November 29, 1901.

James M. Martin,
Ardmore, Indian Territory.

Dear Sir:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, you made personal application to this Commission for the identification of yourself and four minor children as Mississippi Choctaws, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

J. M. M.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.C.-1004

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.
ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choo. 1004

James M. Martin,

Muskogee, Indian Territory, March 15, 1902.

P. O. Box 551,

Ardmore, Indian Territory,

Dear sir:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

“The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

“‘Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.’

“It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED). *T. B. Needles.*

Commissioner in Charge.

Registered.

M.C.R., 1004.

Muskogee, Indian Territory, April 24, 1902.

James H. Martin,

Armore, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John H. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 1004.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

mm

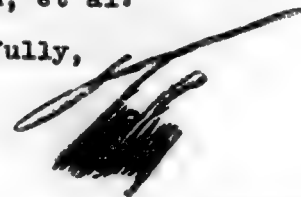
Muskogee, Indian Territory, November 16, 1906.

James M. Martin,
Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,



Commissioner.

No. 1004

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name James M. Martin

Age 36 Blood 1/8

Post Office, Ardmore, S. D.

Father: John S. Martin - ✓

Mother: Louisa Martin - dead

Claims through Mother.

WIFE: Irene Martin - 34.

(No claim for wife).

Children:

Nollie Lee Martin 11.

Gertrude E. " 5.

Violet " 3

Vivian " 3

Last two are twins.

FILED

NOV 5 1900

MISSION TO FIVE TRIBES.

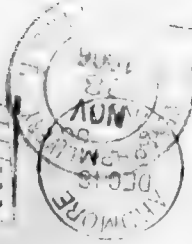
MUSKOGEE, MO. TER.



1004

Return to
James H. Martin,

unclaimed



Choc. MCR 1005

Rhoda A. Rowland

See MCD 1

MCR 1005

Rowland
REFER TO M. C. S. D. 1

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

No. 1005.

In the matter of the application for identification of Rhoda A. Rowland and her two minor children as Mississippi Choctaws. Rhoda A. Rowland, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Rhoda A. Rowland.
Q What is your age? A 38.
Q What is your post office address? A Osceola, Indian Territory.
Q What Nation is that in? A It is in the Chickasaw Nation.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
Q Ever since 1898, in June.
Q Have you maintained a continuous residence here since that time? A Yes sir.
Q Where did you live prior to that time? A Spanish Fort, Texas.
Q How long in Texas? A About 30 years.
Q Where did you live prior to your residence in Texas? A Missouri.
Q How long did you live in Missouri? A My parents moved from Texas to Missouri when I was 4 years old.
Q How long were you in Missouri before you moved to Texas?
A I could not say. A number of years.
Q About how long? A About 15 years.
Q You were born in Texas? A Born in Texas, Cooke County.
Q Then you went to Missouri? A Yes sir.
Q And stayed there 15 years, and moved back to Texas and stayed in Texas since then up to the time you moved to the Indian Territory? A Yes sir.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your father's name? A John S. Martin.
Q Your father living? A Yes sir.
Q What is your mother's name? A Louisa Martin.
Q Your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Was your mother's name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Was she ever recognized during her life time by the Choctaw tribal authorities as a citizen of the Choctaw Nation?
A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the tribal authorities for citizenship in the Choctaw Nation? A Not in person. My father did for me.
Q To the Choctaw tribal authorities. Do you understand what that is? A No sir.
Q The only application made for you was an application made to this Commission in 1898? A Yes sir.

Q Was any application made by you to the Choctaw tribal authorities prior to that time? A No sir.

Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation under act of June 10, 1896? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw Tribal authorities, or the decision of this Commission?

A No sir.

Q Have you ever prior to this time made application to either the Choctaw tribal authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.

Q This is your first application of any description? A Yes sir. in person. My father made application for me in 1898.

Q Was an application made in your behalf by John S. Martin when he appeared before the Commission at Ardmore, in 1898?

A Yes sir.

Q That is the only application that has ever been made for you? A Yes sir.

Q This is your first personal appearance? A Yes sir.

Q This is your first personal appearance before any of the authorities for identification or enrollment as a Choctaw?

A Yes sir.

Reference is made to the application of John S. Martin for identification as a Mississippi Choctaw, Field Card, No. D-1.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of article 14 of the treaty of 1830? A Because my parents have always taught me since I was old enough that I have Mississippi Choctaw blood.

Q Are you making your application under article 14 of the treaty of 1830? A Yes sir.

Q Are you familiar with that article of that treaty?

A I have heard it read.

Q Do you know what its provisions are? A No sir, I cannot say that I do.

Q I will read it to you. The act of Congress of June 28, 1898, contains the following: "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article 14 of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, and the 14th article of that treaty is as follows:

"Each Choctaw head of a family being desirous to remain and become a citizen of the state shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to

such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said land intending to become citizens of the state for five years after the ratification of this treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

Q Do you make your claim under article 14 of that treaty?

A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A I do not understand the question.

Q Did they signify to the Indian Agent there in Mississippi under the provisions of that treaty and become citizens of the state of Mississippi? A I do not know.

Q And did they receive land there as beneficiaries under that article? A Not that I know of.

Q What is the name of your ancestor who resided in Mississippi And who was a recognized member of the Choctaw tribe of Indians in 1830 at the time that treaty was entered into?

A William Harris, my great grandfather and James Harris, my grandfather.

Q Have you evidence showing that you are a direct lineal descendant of these Harrises? A Yes sir.

Q Have you evidence showing that they were recognized members of the Choctaw tribe of Indians at that time? A Yes sir, I suppose it does.

Q You stated that you had no knowledge of their having received any land in Mississippi under the provisions of that Treaty? A No sir.

Q Do you make any claim by reason of any other treaty stipulations entered into between the Choctaw tribe of Indians and the United States? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Robert L. Rowland.

Q How old is he? A He is 40.

Q He a white man? A Yes sir.

Q Never made any claim to Indian citizenship? A No sir.

Q You making any claim for him? A No sir.

Q Have you any children? A Two.

Q What are their names and ages? A Lela R., 17; Jimmie, 14.

Q That all the children you have? A Yes sir.

Q You the mother of both of them? A Yes sir.

Q Robert L. Rowland the father? A Yes sir.

Q They live with you at your home? A Yes sir, but they are in school now?

Q Where? A One is in Texas and the other is in Colorado.

Q How long have they been there? A Since September 1st, the one that is in Colorado went there about September 15th.

Q They are just at these places for the purpose of going to school? A Yes sir.

Q They do not make their residence anywhere else? A No sir.

Q Any additional statement that you desire to make in support of this application? A No sir.

Q Any written evidence that you desire to offer the Commission for its consideration in support of this application?

A Yes sir.

NO. 1005

Attorney:

Here attorney for applicant asks leave to file certified copies of the testimony of John Pistoles and James Allen, and the affidavit of J. M. Jones and Eliza J. Martin.

The decision of the Commission as to your application and the application you make in behalf of your two minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

—o—

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate D. Bord

Subscribed and affirmed to before me this

14 day of November 1900.

Wm. L. V. Emerson

Notary Public.

Muskogee, Indian Territory, December 2, 1901.

Rhoda A. Rowland,
Oscar, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner
of Indian Affairs remanded to this Commission the records thereto-
fore forwarded the Department for approval, with instructions that
an opportunity be granted for the introduction of additional testi-
mony of applicants or witnesses in person in support of such appli-
cations.

It appears from our records that at Muskogee, Indian
Territory, on November 5, 1901, you made personal application to
this Commission for the identification as Mississippi Choctaws of
yourself and two minor children, claiming descent from the same
common ancestor.

In accordance with the instructions above referred to,
you are hereby notified that at the office of the Commission to
the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

R. A. R.--S.

January 13, 1908, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.O.-1008

Commissioner in Charge.

COMMISSIONERS.
HENRY L. DAWES,
TAMM DIXIE,
THOMAS S. NEEDLES,
C. R. BARNHART.
ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 1005

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Rhoda A. Rowland,

Oscar, Indian Territory,

Dear Sir:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississippi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

Registered.

100-1000

Washington, Indian Territory, April 24, 1904.

Shoshone, Nevada,

Osage, Indian Territory.

Dear Sirs:

You are hereby advised that on the 14th day of April, 1904, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 14th day of March, 1904.

Yours truly,

Acting Chairman.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 1005.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 16, 1906.

Rhoda A. Rowland,

Oscar, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,


Commissioner.

No. 1005

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Rhoda A. Rowland.

Age 38. Blood 1/8

Post Office, Oscar, Ind. Ter.

Father: John S. Martin - ✓

Mother: Louisa Martin - dead

Claims through mother.

HUSBAND:

Robert L. Rowland - 40.
(No claim for husband).

Children:

Lela Rowland 17
Gennie " 14.

Make reference to M.C. No. #1.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

ACTING CHAIRMAN.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

Return Enclast Mingo



Rhoda A. Rowland,

~~Ossau~~, Indian Territory.

1005

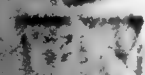
DEPARTMENT OF THE INTERIOR.
Commissioner to the Five Civilized Tribes.

FILED

JAN - 7 1907



Commissioner



Choc MCR 1006

Sarah E. Rowles

see MCD 1

MCR 1006

Marion C. Howles

REFER TO M.C. & D. /

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 1006.

In the matter of the application of Sarah E. Rowles and her two minor children for identification as Mississippi Choctaws. Sarah E. Rowles, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Sarah E. Rowles.
Q What is your age? A 45.
Q What is your post office address? A Ardmore, Indian Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
A Since April, 1898.
Q Where did you live prior to that time? A In Missouri.
Q How long in Missouri? A We lived there so many different times, I do not remember. I was born in Cook County, Texas, and was 12 years old and we went to Missouri and when I was about 29 we moved to Texas and remained there about 5 years and then returned to Missouri and stayed there about 15 years and I came back to the territory.
Q You never lived in Mississippi? A No sir.
Q Have you maintained a continuous residence since you moved here in 1898? A Yes sir.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your father's name? A John S. Martin.
Q Your father living? A Yes sir.
Q What is your mother's name? A Louisa Martin.
Q Mother living? A She is dead.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Your mother's name ever on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Was she ever recognized by the tribal authorities of the Choctaw Nation as a citizen? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission?
A No sir.
Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or the authorities of the United States for either citizenship or enrollment as a Choctaw? A Not personally, my father did in September, 1898.

Q You are the identical Sarah E. Rowles included in the application made by John S. Martin for the identification of himself and family at Ardmore, on November 23, 1898? A Yes sir.

Reference is made to the application of John S. Martin for identification as a Mississippi Choctaw, Field Card, No. D-1.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Because we are Choctaw Indians by blood.

Q You are making your application under the provisions of the 14 article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A No sir.

Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A William Harris, the father of James Harris.

Q What relation were they to you? A Father and grand father.

QQ Have you any evidence showing that you are a direct lineal descendant of William Harris? A Yes sir.

Q Did any of your ancestors through whom you claim this right to identification ever receive or claim any land in Mississippi as a beneficiary under the provisions of the 14 article of the treaty of 1830? A No that I know of.

Q Do you make any claim by reason of any other treaty stipulations between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Joseph Rowles.

Q He a white man? A Yes sir.

Q Never made any claim to Indian citizenship? A No sir.

Q How old is he? A 51.

Q You making any claim for your husband now? A No sir.

Q Is Joseph Rowles the father of your children? A Yes sir.

Q How many children have you unmarried and under 21 years of age? A Two.

Q What are their names and ages? A John Stephen Rowles, 18; Willie Rowles, 5 years old.

Q You the mother of both of these children? A Yes sir.

Q Both living with you and always have? A Yes sir.

Q Any additional statement that you desire to make in support of your application? A No sir.

Q Any written evidence that you desire to submit?

Attorney:

Here the attorney for the applicant asks leave to file the affidavits of J. M. Jones, Eliza J. Martin, and certified copies of the testimony of John Pistole and James Allen, and asks that the same be marked Exhibit A and made a part of the records in this case.

Commission:

Affidavits and certified copy of evidence, received, marked Exhibit A and made a part of the records in this case.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be mailed to

No. 1006

you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord.

Subscribed and affirmed to before me this

14 day of November 1900.

Guy L. V. Emerson
Notary Public.

Muskogee, Indian Territory, November 29, 1901.

Sarah E. Rowles,
Ardmore, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret H. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and two minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

S. B. R.--2.

January 13, 1908, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.C.-1006

Acting Chairman.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 1006

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 15, 1902.

Sarah E. Rowles,
Ardmore, Indian Territory,

Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershall Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *I. B. Needles.*

Commissioner in Charge.

Registered.

M.S.R., 1000.

Muskogee, Indian Territory, April 24, 1902.

Sarah B. Rowles,
Ardenre, Indian Territory

Dear Madame:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 1006.

COPY

Muskogee, Indian Territory, November 16, 1906.

Sarah E. Rowles,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED *Tams Bixby.*
Commissioner.

No. 1006

For Identification as a Mississippi Choctaw.

Date NOV-5 1900

Name Sarah E. Rowles.

Age 45. Blood 1/8

Post Office, Ardmore, S. D.

Father: John S. Martin - ✓

Mother: Louisa Martin - dead

Claims through mother.

HUSBAND:

Joseph Rowles - 51
(No claim for husband).

Children:

John S. Rowles 18
Willie 5

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

ACTING CHAIRMAN.

Choc. MCR 1007

Dollie Ralls

See MCD 1

MCR 1007

John Hall

EPER TO M. C. B. D. /

REFUSED.

DECISION RENDERED MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT

MAR 15 1902

NOTICE OF DECISION

FORWARDED ATTORNEY

FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

APR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 3, 1900.

NO. 1007.

In the matter of the application for identification as a Mississippi Choctaw of Dollie Ralls, which she makes in her own behalf. Dollie Ralls, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Dollie Ralls.
Q What is your age? A 29.
Q What is your post office address? A Ryan, I. T.
Q You a resident of the Indian Territory? A Yes sir, seven and a half years.
Q Have you maintained a continuous residence in the Indian Territory for the past seven and a half years? A Yes sir.
Q Have you been outside of the Indian Territory for the past three years? A Only on a visit.
Q Never made any residence anywhere else? A No, indeed.
Q Where did you live prior to your residence in the Indian Territory? A At Henrietta, Texas.
Q How long were you in Texas? A I suppose about 16 or 17 years, about 19 years before I went to the Territory?
Q Where did you live before that? A Missouri. I was born in Missouri.
Q And moved to Texas? A Yes sir.
Q And lived in Texas all your life up to the time you moved to the Indian Territory? A Yes sir.
Q Never was a resident of the state of Mississippi? A No sir.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your father's name? A John S. Martin.
Q Your father living? A Yes sir.
Q What is your mother's name? A Louisa Martin.
Q Your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Was your mother's name ever on any of the tribal rolls of the Choctaw Nation? A I could not say.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities, by any official act of their national council as a citizen of that Nation? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation under the act of June 10, 1896? A June, 1896? No, it was in 1898.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory? A No sir.

Q Have you personally ever prior to this time made application to either the Choctaw tribal authorities or to this Commission for citizenship or enrollment in the Choctaw Nation?

A No sir.

Q This is your first application of any description? A Yes yes sir.

Q An application was made on your behalf by John S. Martin at Ardmore, in 1898? A Yes sir.

Q You are the identical Dollie Ralls that was included in that application? A Yes sir.

Reference is made to the application of John S. Martin for identification as a Mississippi Choctaw, Field Card, No. D-1.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Well, all my life I have known there was Indian blood, and while my father never did like for us to claim it until just lately, but always I knew it was in the family, but it was kept quiet.

Q You are making your application under the provisions of the 14 article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A I do not know.

Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A William Harris.

Q What relation was William Harris to you? A Grandfather.

Q Have you any evidence showing that you are a direct lineal descendant of William Harris? A Yes sir.

Q Did William Harris, or any other of your ancestors under whom you claim this right to identification as a Mississippi Choctaw, ever receive or claim any land in Mississippi as a beneficiary under article 14 of the treaty of 1830?

A Not that I know of.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians?

A I am not certain. 1836, I believe, I am claiming under all the treaties that give us a right.

Q The only authority that this Commission has to hear and determine the rights of applicants for identification, is contained in the act of June 28, 1898, which provides, "Said Commission shall have authority to determine the identity of Choctaw Indians, claiming rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830.. and only claimants under that provision of that treaty can be identified by this Commission as Mississippi Choctaws.

Q Are you married? A Yes sir.

Q What is your husband's name? A John R. Ralls.

Q You making any claim for him? A No sir.

Q You have no children? A No children.

Q Is there any additional statement that you desire to make in support of your application? A No sir.

Q Any written evidence that you desire to offer for the consideration of this Commission? A Yes sir.

Attorney-

Here attorney for applicant asks leave to file the affidavits of J. M. Jones, Eliza J. Martin, and certified copies of the testimony of John Pistola and James Allen, and asks that the same be marked Exhibit A and made a part of the records in this case.

Commission:

Affidavits and certified copy of testimony, received, marked Exhibit A and made a part of the records in this case.

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future at your present post office address.

—O—

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me

this 14 day of November, 1900.

Guy L. Emerson

Notary Public.

Muskogee, Indian Territory, November 29, 1901.

Dollie Hall,

Ryan, Indian Territory.

Dear Madam:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Wannie A. Lawson et al.,

you are informed that under date of July 22, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 8, 1900, you made personal application to this Commission for identification as a Mississippi Choctaw, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

D. R.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.C.-1007

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRANCHIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Chce. 1007

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Dollie Ralls,

Muskogee, Indian Territory, March 15, 1902.

Ryan, Indian Territory,

Dear wadam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Luciuda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelie Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

B. J.

Commissioner in Charge.

Registered.

N.C.R., 2007.

Muskogee, Indian Territory, April 24, 1902.

Bellie Ralls,
Ryan, Indian Territory.

Dear Madame:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 1007.

COPY

Muskogee, Indian Territory, November 16, 1906.

Dollie Halls,

Ryan, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.
Commissioner.

No. 1007

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name *Collie Ralls*

Age *29* Blood *1/8*

Post Office, *Ryan, I. T.*

Father: *John S. Martin - ✓*

Mother: *Louisa Martin - dead.*

Claims through mother.

HUSBAND:

John R. Ralls.
(No claim for his land).

Children:

Make reference to M. C. R. # 1.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

NOV 5 1900

Choc. MCR 1008

Dora Lee Caldwell

See MCD 1

MCR 1008

Dora Lee Caldwell

REFER TO M. C. & D. I.

REFUSED.

DECISION RENDERED.

MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER, 5, 1900.

No. 1008.

In the matter of the application for identification as Mississippi Choctaws of Dora Lee Caldwell and her three minor children: Dora Lee Caldwell, being first duly sworn, testified as follows:
Examination by the Commission:

- Q What is your name? A Dora Lee Caldwell.
Q What is your age? A 33.
Q What is your post office address? A Ardmore, Indian Territory.
Q How long have you resided in the Indian Territory?
A We came here in 1898.
Q Then you have been here for the past two years?
A Not all the time. I did not live here all the time. Part of the time in Colorado.
Q Where is your home? A I have a home at Ardmore.
Q What do you mean by being in Colorado part of the time?
A I have my children in school there, and I go there for my health.
Q Where do you spend most of the time? A It is about equally divided.
Q What does your home in Ardmore consist of? A A house and lot.
Q Have you any home in Colorado? A Yes sir.
Q What does that consist of? A House and lot.
Q Where are your children? A My children are in Colorado.
Q Do they make their residence there all the time? A They are there with me, and when I am at Ardmore they are there with me.
Q Where did you live prior to your residence in the Indian Territory? A In Colorado.
Q How long have you lived there? A 12 years.
Q Where did you live prior to your residence in the Colorado?
A Henrietta Texas.
Q How long in Texas? A About 14 years.
Q Where did you live before that? A In Missouri, born there.
Q Born there and then moved to Texas? A Yes sir.
Q Then from Texas to Colorado? A Yes sir.
Q And now you live at Ardmore and in Colorado? A Yes sir.
Q Did you ever maintain a residence in Mississippi? A No sir.
Q How much Choctaw blood do you claim? A 1/8.
Q What is your father's name? A John S. Martin.
Q Your father living? A Yes sir.
Q What is your mother's name? A Louisa Martin.
Q Your mother living? A No sir.

- Q Through which one of your parents do you claim your Choctaw blood? A My mother.
- Q Was your mother's name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Was she ever recognized during her life time as a member of the Choctaw tribe of Indians? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of that Nation? A No sir.
- Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation under act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
- Q Have you ever personally prior to this time made application to either the Choctaw tribal authorities, or to the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is your first personal application of any description? A Yes sir.
- Q An application was made on your behalf by your father, John S. Martin at Ardmore, Indian Territory in 1898, is that correct? A Yes sir.
- Q You are the identical Dora Lee and children who are mentioned in that application? A Yes sir.
- Reference is made to the application of John S. Martin for identification as a Mississippi Choctaw, Field Card, No. D-1.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the treaty of 1830? Q A I have always heard it and from what my mother told me.
- Q You base your claim on the provisions of the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A Not that I know of.
- Q Are you familiar with that article? A No sir.
- Q Have you ever read it? A No sir.
- Q Understand what its provisions are? A No sir, I do not.
- Q Like to have it read to you? A Yes sir.
- *Each Choctaw head of a family being desirous to remain and become a citizen of the state shall be permitted to do so by signifying his intention to the Agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age, to adjoin the location of

If they reside upon said land intending to become citizens of the state for five years after the ratification of this treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove, are not entitled to any portion of the Choctaw annuity."

- Q Is that the article of the treaty under which you are making your application? A Yes sir.
- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A William Harris.
- Q What relation was William Harris to you? A He was my great grandfather.
- Q Have you any evidence showing that he was a recognized member of the Choctaw tribe of Indians in 1830? A No sir.
- Q Have you any evidence showing that you are a direct lineal descendant of William Harris? A No sir.
- Q Did any of your ancestors through whom you claim this right to identification as a Mississippi Choctaw, ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14 article of the treaty of 1830?
- A No sir.
- Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Frank W. Caldwell.
- Q He is a white man, is he? A Yes sir.
- Q Never made any claim to Indian citizenship? A No sir.
- Q Are you making any claim for him now? A No sir.
- Q You do not want to make application for your husband? A No.
- Q What are the names and ages of your unmarried children under 21 years of age and unmarried? A Frankie May Caldwell, 12; John Willie Caldwell, 11; and Cory Well, two years old.
- Q You the mother of these three children? A Yes sir.
- Q Frank Caldwell, the father? A Yes sir.
- Q These children all live with you at your home? A Yes sir.
- Q Their claim has the same foundation as yours? A Yes sir.
- Q Any additional statement that you desire to make? A No sir.
- Q Any written evidence that you desire to offer the Commission for its consideration in support of this application?
- A Yes sir.

Attorney:

Here attorney for applicant asks leave to file the affidavits of J. M. Jones and Eliza J. Martin, and the certified copies of the testimony of John Pistole and James Allen, and asks that the same be marked Exhibit A and made a part of this case?

Commission.

Affidavits and certified copy of testimony, received, marked Exhibit A, filed, and made a part of the records in this case.

Attorney:

- Q Mrs. Caldwell, you stated a moment ago that you had no evidence showing that you are a direct descendant of William

NO. 1008

Harris. Is it not a fact that you have evidence of that kind in these papers? A Yes sir.

Q Then when you made that answer you were mistaken in regard to it? A I guess I didn't understand it.

Q Do you want to correct that? A Please. I knew I had the evidence.

Commission.

The decision of the Commission with reference to your application and the application you make on behalf of your three minor children, for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

—o—

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 8th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

14 day of November, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, November 29, 1901.

Dora Lee Caldwell,
Arkwere, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and three minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

D. L. G.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.G.-1000

Acting Chairman.

COMMISSIONERS

HENRY L. DAWES,
TAMM SIXBY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 1008

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Dora Lee Caldwell,

Ardmore, Indian Territory,

Dear madam:

You are hereby advised that on the third day of March, 1902, the Commission to the
Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al.,

embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

Registered.

M.C.R., 1003.

Muskogee, Indian Territory, April 24, 1902.

Dora Lee Caldwell,
Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 1008.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 16, 1906.

Dora Lee Caldwell,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully



Commissioner.

No. 1008

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900
Name *Nora Lee Caldwell.*
Age 32. Blood $\frac{1}{8}$
Post Office, *Arden cre, S. D.*
Father: *John S. Martin - ✓*
Mother: *Louisa Martin - dead.*
Claims through *mother*

HUSBAND:

Frank W. Caldwell.
(No claim for husband).

Children:

Frankie May Caldwell 12.
John Willie " " 11.
Clara Nell " " 2.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

[Signature]
ACTING COMMISSIONER.

Department of the Interior.

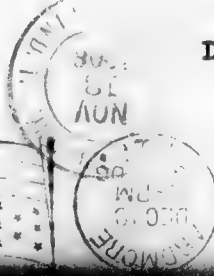


1008

Dora Lee Caldwell,

Ardmore, Indian Territory.

Return to writer if unclaimed.



Choc MCR 1009

Mattie J. Denning

See MCD 1

MCR 1009

John J. Deming
REFER TO M. C. & D. I.

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENTAL.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 1008.

In the matter of the application for identification as Mississippi Choctaws of Mattie J. Denning and her minor child. Mattie J. Denning, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Mattie J. Denning.
Q What is your age? A 47.
Q What is your post office address? A Ardmore, Indian Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A Two years.
Q Have you maintained a continuous residence here for the past two years? A Yes sir.
Q Have you been outside of the Indian Territory during that time? A One time, for two days.
Q Where did you live before you came to the Indian Territory? A Henrietta, Texas.
Q How long were you a resident of the state of Texas? A 30 years.
Q Where did you live prior to that time? A Missouri.
Q About how long in Missouri? A I was there 10 years.
Q Where did you live before that time? A Never lived anywhere else.
Q Born in Missouri? A Yes sir.
Q And moved from there to Texas? A Yes sir.
Q And lived there for 30 years? A Yes sir, and then went back to Missouri.
Q When did you go back to Missouri? A I do not know exactly what year it was.
Q Your residence up to the time you moved to the Indian Territory was exclusively in the states of Texas and Missouri? A Yes sir.
Q You never resided in Mississippi? A No sir.
Q How much Choctaw blood do you claim? A $1/8$.
Q What is your father's name? A John S. Martin.
Q Your father living? A Yes sir.
Q What is your mother's name? A Louisa Martin.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Was your mother ever recognized during her life time as a Choctaw Indian by the Choctaw tribal authorities? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation by any official act of their National Council as a Choctaw? A I have not been.

- Q Did you, or anyone in your behalf in 1896, under the act of Congress of June 10, 1896, make application to this Commission for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been admitted to citizenship by judgment of the United States Court for the Indian Territory on appeal from the decision of this Commission or the Choctaw tribal authorities? A No sir.
- Q Have you ever prior to this time made application to either the authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is your first personal application of any description? A Yes sir.
- Q An application was made on your behalf by John S. Martin at Ardmore, Indian Territory in November 1898, was there not? A Yes sir.
- Q You are the identical Mattie J. Denning that appears in that application? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian, entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A My mother was a part Choctaw and I have always been taught that up to this time.
- Q You are making your application as a beneficiary under the 14th article of the treaty of 1830? A Yes sir.
- Q Did you, or any of your ancestors, ever comply with the provisions of the 14 article of that treaty? A Not that I know of.
- Q What was the name of your ancestor who resided in Mississippi in 1830? A William Harris.
- Q Was William Harris a recognized member of the Choctaw tribe of Indians in 1830 in Mississippi? A I suppose he was.
- Q Have you any evidence of that fact? A Yes sir.
- Q That he was recognized by the Choctaw Indians as a citizen of that tribe in Mississippi in 1830? A Yes sir.
- Q What relation was William Harris to you? A My great grandfather.
- Q Have you evidence tending to show that you are a lineal descendant of William Harris? A Yes sir.
- Q Did William Harris, or any other of your ancestors through whom you claim the right to identification ever receive or claim any land in Mississippi under the provisions of the 14th article of the treaty of 1830? A Not that I know of.
- Q Do you make your claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A My husband's dead. John Denning.
- Q Your husband living? A No sir.
- Q He the father of your child? A Yes sir.
- Q Have you any children for whom you wish to make application? A One.
- Q What is the name and age of your child? A John Roy Denning. He is 16 years old.
- Q That all the children you have? A Yes sir.
- Q You the mother of this boy? A Yes sir.
- Q John Denning, your deceased husband, the father? A Yes sir.

- Q Is there any additional statement that you desire to make in support of your application for the identification of yourself and child as Mississippi Choctaws? A No sir.
- Q Is there any written evidence that you desire to offer the commission for its consideration in support of your application? A Yes sir.

Attorney:

Here attorney for applicant asks leave to file the affidavit of J. M. Jones and Eliza J. Martin, also the certified copy of testimony of James Allen and John Pistole, and asks that the same be marked exhibit A and made a part of the records in this case.

Commission:

Affidavits and certified copy of testimony received, marked Exhibit A, filed and made a part of the evidence in this case.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate DeBord

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, November 29, 1901.

Mattie J. Denning,
Armore, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and minor child, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

M. J. D.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

Acting Chairman.

M.C.-1009

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Chas. 1009

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Mattie J. Denning,

Ardmore, Indian Territory,

Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et al.,	M.C.R. 3208
Martha J. Otineal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershall Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED: *B. Needle*

Commissioner in Charge.

Registered.

M.C.R., 1009.

Muskogee, Indian Territory, April 24, 1902.

Mattie J. Denning,
Ardmore, Indian Territory.

Dear Madame:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M C R 1009

Muskogee, Indian Territory, March 21, 1903.

Jno. C. England,
c/o Chemical Building,
St. Louis, Missouri.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant, in which you ask to be advised "whether or not Miss M. J. Denning has been enrolled as a citizen of the Chickasha or Chouteau nations, and if so, can you give her post office address."

In reply to your letter you are informed that it appears from our records that Mattie J. Denning, forty-seven years of age, residence Ardmore, Indian Territory, made application to this Commission for the identification of herself and minor child as Mississippi Choctaws; said application being included in the consolidated Mississippi Choctaw case of John S. Martin, et al.

On March 13, 1902, the Commission rendered its decision refusing the several applications included in said case, and on the same date the applicants were duly notified of said decision by the Commission and of the forwarding of the matter to the Secretary of the Interior.

The Secretary of the Interior, on April 14, 1902, approved the decision of the Commission refusing the several applica-

J C E 2

tions included in the consolidated Mississippi Choctaw case of John S. Martin, et al., and on April 24, 1908, the applicants were notified of such departmental action. The Commission now considers this case closed.

The post office address of Mattie J. Denning, given at the time she made application, was Ardmore, Indian Territory.

Respectfully,

Chairman.

M.C.R. 1009.

COPY

Kuskogee, Indian Territory, November 16, 1906.

Mattie J. Denning,

Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John B. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.

Commissioner.

No. 1009

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Mattie J. Denning.

Age 47 Blood 1/8

Post Office, Ardmore, A. T.

Father: John S. Martin - ✓

Mother: Louisa Martin - dead

Claims through mother.

HUSBAND:

John Denning - dead.
(No claim for husband).

Children:

John Roy Denning 16.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900



ACTING CHAIRMAN.

Chas. R. 1010

Hannie May Gilvin

See MOD 1

MCR 1010

ER TO M. C. S. D. I.

REFUSED.

DECISION RENDERED. MAR 3 - 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 1010.

In the matter of the application for identification as Mississippi Choctaws of Nannie May Gilvin and her minor child. Nannie May Gilvin, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Nannie May Gilvin.
Q What is your age? A 23.
Q What is your post office address? A Henrietta Texas, at present.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided in the state of Texas? A A year.
Q Where did you live before that? A Ryan.
Q How long? A For a year.
Q Where did you live before that? A In Texas.
Q How long did you live in Texas at that time? A Well, I don't know, I was very small.
Q Two years ago? About how long were you there? A Well I don't know.
Q Did you ever live anywhere else besides Texas? A Missouri.
Q Born there? A Yes sir.
Q Never have lived in Mississippi? A No sir.
Q How much Choctaw blood do you claim? A 1/16.
Q What is your father's name? A Ed S. White.
Q Your father living? A Yes sir.
Q What is your mother's name? A Lucinda White.
Q Your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q How long has your mother been dead? A 4 years.
Q During her life time was she ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation?
A I do not know.
Q Was her name ever on any of the tribal rolls of the Choctaw Nation? A I do not know.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship by judgment of the United States Court on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission?
A No sir.
Q Have you ever prior to this time made application to either the Choctaw authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.

- Q This is your first personal application of any description?
A Yes sir.
- Q An application was made on your behalf by John S. Martin at Ardmore, Indian Territory in 1893? A Yes sir.
- Q You are the identical Nannie May Gilvin, whose name appears in that application? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of article 14 of the treaty of 1830? A Because I have heard my father, and grandfather and mother speak about it.
- Q You make your claim under the 14 article of the treaty of 1830? A Yes sir.
- Q Did you or any of your ancestors ever comply with the provisions of that article of that treaty? A I do not know.
- Q What was the name of your ancestor who resided in Mississippi in 1830, at the time the treaty was entered into between the United States and the Choctaw tribe of Indians, and who was at that time a recognized member of that tribe? A William Harris.
- Q Have you any evidence tending to show that William Harris was a recognized member of the Choctaw Indians in 1830?
A I do not know whether I have or not.
- Q What relation was William Harris to you?
A He is my great great grandfather.
- Q Do you have evidence showing that you are a direct lineal descendant of William Harris? A I do not know.
- Q Did any of your ancestors through whom you claim this right to identification ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A Well I don't know that. I think they went there for the purpose to take land, but whether they took it I do not know.
- Q Do you make any claim by reason of any other treaty stipulations between the United States and the Choctaw Indians?
A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A John B. Gilvin.
- Q How old is he? A 23
- Q He a white man? A Yes sir.
- Q Ever make any claim to Indian citizenship? A No sir.
- Q His parents were both white people? A Yes sir.
- Q Are you making any claim for your husband? A No sir.
- Q Have you any children? A Yes sir.
- Q How many? A One.
- Q What is the name and age? A Benjamin Franklin Gilvin.
- Q How old is he? A Two years old.
- Q You the mother of Benjamin Franklin? A Yes sir.
- Q John B. Gilvin is the father? A Yes sir.
- Q This child lives with you at your home? A Yes sir.
- Q Any additional statement that you desire to make in support of your application? A No sir.
- Q Any written evidence that you desire to file with the Commission for its consideration in support of your application?
A Yes sir.

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is filed within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

Examination by attorney:

Q Mrs. Gilvin, is it not your intention to remove to the Indian Territory in the near future? A Yes sir.

Q For the purpose of establishing a home and residence? A Yes sir.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this
16 day of November, 1900.

Guy L. Emerson

Notary Public.

Muskogee, Indian Territory, November 29, 1901.

Nannie May Gilvin,
Henrietta, Texas.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret M. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 8, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and minor child, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

N. M. C.-8.

January 13, 1908, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

N.C.-1010

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AVLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 1010

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Nannie May Gilvin,

Henrietta, Texas,

Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

" 'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.' "

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Wintrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

Registered.

M.C.R., 1010.

Muskogee, Indian Territory, April 24, 1902.

Hannie Ray Gilvin,

Henrietta, Texas.

Dear Madam:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 1010.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 16, 1906.

Nannie May Gilvin,
Henrietta, Texas.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

Commissioner.

No. 1010

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Nannie May Gilvin

Age 22. Blood 1/16

Post Office Henrietta, Texas.

Father: Ed. S. White - ✓

Mother: Lucinda A. White - dead.

Claims through mother.

HUSBAND

John B. Gilvin 23.
(No claim for husband).

Children:

Benjamin F. Gilvin 2.

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

P. O. Will be

Ryan, J. T.

Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

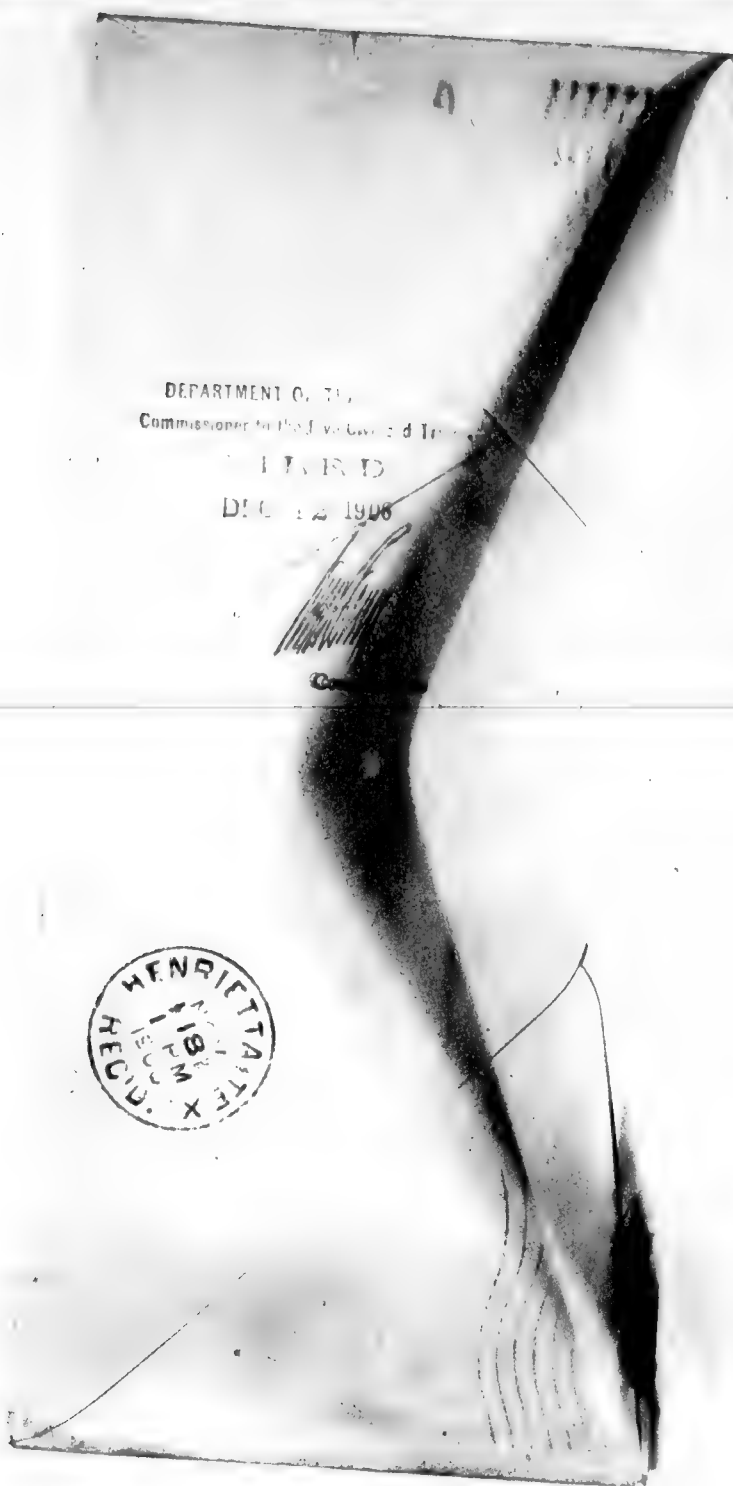


0101

Nannie May Gilvin,

Henrietta, Texas.

Unclaimed



DEPARTMENT OF THE
Commissioner of the Fish and Game

HARD

DEC 12 1906



Choc MCR 1011

Lane Lee Wood

See MCD 1

MCR 1011

REFER TO M. C. R. D.

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT:

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSCOGEE, I.T., NOVEMBER 5, 1900.

NO. 1011.

In the matter of the application for identification of
Issie Lee Wood and her minor child, as Mississippi Choctaws.
Issie Lee Wood, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Issie Lee Wood.
Q What is your age? A 21.
Q What is your post office address? A Ardmore Indian Ter-
ritory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you been a resident of the Indian Territory?
A Two years.
Q Have you maintained a continuous residence in the Indian
Territory for the past two years? A Yes sir.
Q Have not been outside of the Territory during that time?
A No sir.
Q Where did you live prior to your residence in the Indian
Territory? A Missouri.
Q How long in Missouri? A All my life.
Q Came right from Missouri? A Yes sir.
Q How much Choctaw blood do you claim? A 1/16.
Q What is your father's name? A Joseph S. Rowles.
Q Your father living? A Yes sir.
Q What is your mother's name? A Sarah E. Rowles.
Q Your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name on any of the tribal rolls of the Choctaw
Nation? A No sir.
Q Was she ever recognized by the Choctaw tribal authorities
as a citizen of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.
Q Have you ever made application to the Choctaw tribal author-
ities for citizenship in that Nation? A No sir.
Q Have you ever been recognized by any official act of the
National Council of the Choctaw Nation as a citizen?
A No sir.
Q Did you, or anyone in your behalf in 1896, make application
to this Commission under the act of Congress of June 10,
1896, for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw
Nation by decree of the United States Court for the Indian
Territory on appeal from the decision of the tribal author-
ities of the Choctaw Nation or the decision of this Com-
mission? A No sir.
Q Have you ever prior to this time made any application to

to either the tribal authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.

Q This is your first application of any description? A Yes sir, it is.

Q An application was made on your behalf by your grandfather John S. Martin before this Commission at Ardmore in 1898? A Yes sir.

Q You are the identical Izzie Lee Woods whose name appears in that application? A Yes sir.

Reference is made to the application of John S. Martin, Choctaw Card, Field No. D-1.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of Article 14, of the treaty of 1830? A I have not heard anything else for quite awhile. Heard it spoken of is all.

Q You are making your application under the provisions of the 14 article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that treaty? A I do not understand.

Q Have you ever read the 14 article of the treaty of 1830? A I have not.

Q Would you like to have it read to you? A I would.

"ARTICLE XIV. Each Choctaw head of a family being desirous to remain and become a citizen of the state shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of 640 acres of land to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they remain upon said lands intending to become a citizen of the state for five years after the ratification of this treaty, in that case a grant in fee simple shall issue; shall said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen but if they ever remove are not entitled to any portion of the Choctaw annuity."

Q Are you making your claim under that article of that treaty? A I do not know, I do not understand. Oh yes sir, yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A No sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A William Harris.

Q What relation was William Harris to you? A My great great grandfather.

Q Have you any evidence showing that you are a direct lineal descendant of William Harris? A Yes sir.

- Q Have you any evidence showing that he was a recognized member of the Choctaw tribe of Indians in 1850?
- A I do not know.
- Q Did any of your ancestors ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A I do not know that.
- Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A I am.
- Q What is your husband's name? A Frank Wood.
- Q Your husband living? A Yes sir.
- Q How old is he? A 29.
- Q Do you make any claim for him? A No sir.
- Q Have you any children? A One.
- Q What is the name and age of that child? A Jesse Lee Wood.
- Q Age? A 14 months.
- Q You the mother of this child? A Yes sir.
- Q Frank Woods the father? A Yes sir.
- Q This child always lived with you at your home? A Yes sir.
- Q You have the care and custody of it? A Yes sir.
- Q Any additional statement that you desire to make? A No sir.
- Q Any written evidence that you desire to submit?
- A Yes sir.

Attorney:

Here attorney for applicant asks leave to file the affidavits of J. M. Jones and Eliza J. Martin, and the certified copies of the testimony of James Allen and John Pistole, and asks that the same be marked Exhibit A and made a part of the records in this case.

Commission:

Affidavits and certified copy of evidence received, marked Exhibit A, filed and made a part of the records in this case.

The decision of the Commission as to your application and the application you make in behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

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Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled case on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate D. Bord,

Subscribed and affirmed to before me this

16 day of November, 1900.

L. V. Emerson

Notary Public.

Muskogee, Indian Territory, November 29, 1901.

Issie Lee Wood,
Ardmore, Indian Territory.

Dear Madam:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret M. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and minor child, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday

I. L. W.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.C.-1011

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 1011

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Isabelle Lee Wood,

P. O. Box 112,

Ardmore, Indian Territory,

Muskogee, Indian Territory, March 15, 1902.

Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

" 'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.' "

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershall Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelie Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED *T. B. Needles.*

Commissioner in Charge.

Registered.

M.C.R., 1011.

Muskogee, Indian Territory, April 24, 1902.

Izzie Lee Wood,
Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John B. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

REFER TO REPLY TO THE FOLLOWING:

M.C.R. 1011.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 16, 1906.

Izzie Lee Wood,
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,



Commissioner.

For Identification as a Missionary Choctaw.

Date NOV - 5 1900

Name *Azzie Lee Woods.*

Age *21.* Blood *1/16*

Post Office, *Ardmore, I. T.*

Father: *Joseph S. Rowles - ✓*

Mother: *Sarah E. Rowles - ✓*

Claims through *mother.*

HUSBAND:

Frank Wood. - 29.
(No claim for husband).

Children:

Jesse Lee Woods. 14 mo.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900



ACTING CHAIRMAN.

Department of the Interior.

Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



1011

Return to writer under
1011

Izzie Lee Wood,

Ardmore, Indian Territory.

Ch 00 MCR 1012

Carl Clark

See MCD 1

MCR 1012

W. L. Clark
REFER TO M. C. B. D. 1.

REFUSED.

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

NO. 1012.

In the matter of the application for identification as a Mississippi Choctaw of Carl Clark, the minor child of Ida May Clark, made by William Arthur Clark. William Arthur Clark, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A William Arthur Clark.
Q What is your age? A 26.
Q What is your post office address? A Ardmore.
Q Your purpose in appearing before the Commission is to make application for the identification of your child, Carl Clark, as a Mississippi Choctaw? A Yes sir.
Q How old is Carl? A 6 years old.
Q You the father? A Yes sir.
Q And Ida May Clark is the mother is she? A Yes sir.
Q She is dead? A Yes sir.
Q When did she die? A In February, 1899.
Q You have the custody of this child now have you?
A Yes sir.
Q Was the name of your wife, Ida May Clark, ever on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Did she ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No she didn't. She never, only what her grandfather did.
Q That was not the Choctaw authorities? A No she never.
Q Was your wife ever recognized by the Choctaw tribal authorities as a Choctaw? A No sir.
Q Did she ever make application to this Commission for citizenship in 1896, under the act of Congress of June 10, 1896?
A No sir.
Q Was your wife and this child for whom you are now making application, ever admitted to citizenship in the Choctaw Nation by a decision of the United States Court on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
Q Has any application ever been made for the identification of your wife or this child prior to this time? A No sir.
Q Was there an application made for your wife to this Commission by John S. Martin at Ardmore in 1898? A Yes sir.
Q This child is the identical Carl Clark that is named in that application? A Yes sir.
Q You are now making application for the identification of this child as a Mississippi Choctaw? A Yes sir.
Q Why do you believe that this child of yours is entitled to rights in the Choctaw lands as beneficiary under the provisions of the 14th article of the treaty of 1830?
A Because my wife's grandmother was kin to Harris, is all the reason I have.

- Q You are making application for this child under the provisions of the treaty of 1830? A Yes sir.
- Q Did any of the ancestors of this child ever comply with the provisions of that article of that treaty? A Not that I know of.
- Q What is the name of the ancestor of Carl Clark who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe?
- A Harris.
- Q What is his full given name? A I think James Harris, I am not sure.
- Q Was James Harris a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I do not know.
- Q Have you any evidence showing that Carl Clark is a direct lineal descendant of James Harris? A No, I have not with me.
- Q Did any of the ancestors of this child ever receive or claim any land in Mississippi as a beneficiary under the provisions of the 14 article of the treaty of 1830?
- A Not that I know of.
- Q Are you making your claim in behalf of this child under or by reason of any other treaty stipulations between the United States and the Choctaw Indians? A No sir.
- Q Is there any additional statement that you want to make?
- A No sir.
- Q Any written evidence that you would like to offer the Commission for its consideration in support of this claim?
- A Yes sir.

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing with this Commission within 15 days from this date.

The decision of the Commission as to the application made by you on behalf of your child, Carl Clark, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause, on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this 16 day of November, 1900.

Guy L. Emerson

Notary Public.

Muskogee, Indian Territory, November 29, 1901.

William A. Clark,
Ardmore, Indian Territory.

Dear Sir:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Wannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 8, 1900, you made personal application for the identification as a Mississippi Choctaw of your minor child, *Paul Clark*, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

W. A. G.--2.

January 13, 1903, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

W. A. G.--1012

Acting Chairman.

COMMISSIONERS:

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 2, 1901.

William A. Clark,
Armore, Indian Territory.

Dear Sir:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

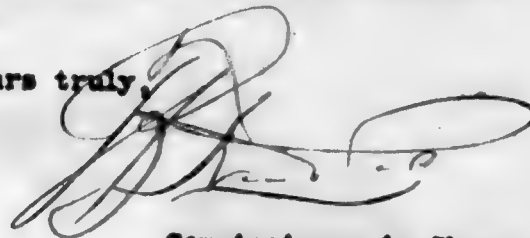
It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, you made personal application to this Commission for the identification as a Mississippi Choctaw of your minor child, Carl Clark, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

W. A. C.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

A handwritten signature in dark ink, appearing to be "R. H. P.", written in a cursive style.

Commissioner in Charge.

M.C.-1012

COMMISSIONERS
HENRY L. DAWES,
TAMM BIRBY,
THOMAS D. NEEDLES,
C. R. BRIDGEMAN.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choo. 1012

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Carl Clark,

Care William A. Clark,

Ardmore, Indian Territory,

Dear Sir:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R.	1010
Izzie Lee Wood, et al.,	M.C.R.	1011
Carl Clark,	M.C.R.	1012
Estella Trice, et al.,	M.C.R.	1013
Susan Lucinda Glover, et al.,	M.C.R.	1441
Mary J. Smith, et al.,	M.C.R.	1442
Sarah N. Johnson et al.,	M.C.R.	1543
Mary J. McDaniel, et. al.,	M.C.R.	3208
Martha J. Odneal, et al.,	M.C.R.	3209
Matilda Sullins, et al.,	M.C.R.	3212
Lucinda Francis Duncan, et al.,	M.C.R.	3288
William Alfred Duncan,	M.C.R.	3289
Fannie Adcock, et al.,	M.C.R.	3290
Luenettie Carpenter,	M.C.R.	3291
James Franklin Carpenter, et al.,	M.C.R.	3292
Susan Dale, et al.,	M.C.R.	2818
Fannie A. Lawson, et al.,	M.C.R.	16
Viola J. Oakman, et al.,	M.C.R.	716
Eliza J. Martin, et al.,	M.C.R.	717
Willis W. Martin,	M.C.R.	719
Aubrie Lawson, et al.,	M.C.R.	722
Charles C. McAdoo,	M.C.R.	723
Eva Chandler, et al.,	M.C.R.	1042
Roberta J. McAdoo,	M.C.R.	1043
Ellen Chambers,	M.C.R.	2595
Francis M. Martin, et al.,	M.C.R.	2819
Mary C. Martin,	M.C.R.	3200
Margie A. Miller, et al.,	M.C.R.	3210
Harvey A. Martin, et al.,	M.C.R.	3218
Mary Leona Swarner, et al.,	M.C.R.	3287
George A. Chambers, et al.,	M.C.R.	3440
Susan Coffelt, et al.,	M.C.R.	2698
Nancy J. Walser, et al.,	M.C.R.	3204
John G. Snodgrass, et al.,	M.C.R.	3207
William Harris, et al.,	M.C.R.	3211
Sarah E. Snyder, et al.,	M.C.R.	3769
Charles C. Snyder, et. al.,	M.C.R.	3770
William L. Snyder, et al.,	M.C.R.	3484
Annie L. Kerfoot, et al.,	M.C.R.	3849
John T. Snyder,	M.C.R.	3850
Edmond P. Snyder, et al.,	M.C.R.	3851
Sallie T. Bristow, et al.,	M.C.R.	4225
William Stanton Mundell,	M.C.R.	1014
Daniel W. Son, et al.,	M.C.R.	1386
John W. Son, et al.,	M.C.R.	1385
James F. Son, et al.,	M.C.R.	1387
George W. Son, et al.,	M.C.R.	2594
Finis M. Son,	M.C.R.	2596
Maggie Bradford, et al.,	M.C.R.	2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelie Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED), *T. B. Needles.*

Commissioner in Charge.

Registered.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

90-913.
REFER IN REPLY TO THE FOLLOWING
M.C.R., 1012.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 24, 1902.

Carl Clark,
Care William A. Clark,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,



Commissioner in Charge.

REFER TO REPLY TO THE FOLLOWING:

M.C.R. 1012.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 16, 1906.

Carl Clark,

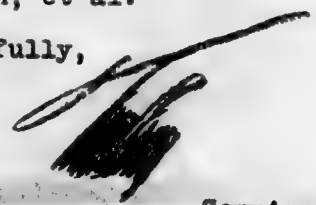
Care of William A. Clark,

Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,



Commissioner.

No. 1012

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900
Name ~~W~~ Carl Clark.

Age 6 Blood

Post Office, Ardmore, I. T.

Father: William A. Clark.

Mother: Ida May Clark-dead

Claims through mother.

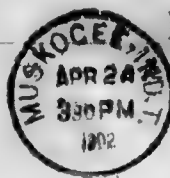
Application made by Wm. A. Clark
Children: on behalf of his minor
child.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900

ACTING CHIEFMAN



Department of the Interior.

Office of the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Carl Clark

C/o

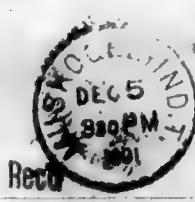
Wm. A. Clark

~~William A. Clark~~

~~Ind. Ter.~~



R. 1012



Department of the Interior
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

Mr. Wm. A. Clark.

Return to sender if unclaimed.

~~Admored~~

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CILIZED TRIBES.

FILED

FEB 5 1902

[Signature]

ACTING CHAIRMAN



Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



Carl Clark,
c/o William A. Clark,
Ardmore, Indian Territory.

1012

DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes

FILED

DEC - 5 1900

NOV 12
11 30A
1900

[Signature]
Commissioner



Q76
Q09



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.



5645



Carl Clark

Carl
Wm A. Clark

~~Arthur~~
~~Ind. Ter.~~

1012

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 9 1902

[Signature]
Acting Commissioner

REGISTERED
MAY
7
1902
MUSKOGEE, IND. TER.

REGISTERED
APR 5 1902
L. H. [illegible]

Choa. MCR 1013

Estella Trice

See MCD 1

MCR 1013

James Price et al
REFER TO M. C. & D. 1.

REFUSED

DECISION RENDERED. MAR 3- 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION

FORWARDED ATTORNEY

FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 5, 1900.

—0—

NO. 1013.

In the matter of the application for identification as Mississippi Choctaws of Estella Trice and her minor child, Eddie Leon Trice. ~~E. W. Trice~~, the husband of Estella Trice and the father of Eddie Leon Trice, for whom this application is being made, being duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Britton W. Trice.
Q What is your wife's name? A Estella Trice.
Q Why can she not appear in person before the Commission and make application? A She is not able to.
Q Have you any doctor's certificate of that fact? A Yes sir.

Commission:

- The certificate of R. S. Wilson of Gainesville, Texas, to the fact of the inability of Mrs. Trice to appear in person before this Commission, is filed and made a part of the records in this case.
- Q How old is your wife? A 25 years old.
Q What is her post office address? A Gainesville, Texas.
Q How long has she been a resident of the state of Texas? A I could not tell you, but expect a number of years, about 20 years, I guess.
Q Where did she live before that? A Born in Missouri and lived there until her father moved to Texas.
Q She has maintained a residence in Missouri and the state of Texas all her life? A Yes sir.
Q Did she ever live anywhere else? A Yes sir, in 1895.
Q Where? A At Ryan, Indian Territory.
Q How much Choctaw blood has your wife? A 1/16.
Q What is her father's name? A Edward White.
Q Is he living? A Yes sir.
Q What is your wife's mother's name? A Louisa White.
Q Is she living? A No sir, she is dead.
Q Through which one of your wife's parents does she claim her Choctaw blood? A Through her mother.
Q Is the name of her mother on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Did your wife ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Has she ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of that Nation? A No sir.
Q Did your wife, or anyone in her behalf, in 1896, make application to this Commission for citizenship under the act of Congress under the act of June 10, 1896? A No sir.

- Q Has she ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
- Q Has any application for her prior to this time ever been made to either the tribal authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is the first application that has ever been made by her or for her for either citizenship or enrollment as a Choctaw? A Yes sir.
- Q Is she not the identical Estella Trice whose name was included in the application made by John S. Martin to this Commission for the members of his family, at Ardmore in 1898? A Yes sir.
- Q The Estella Trice, mentioned in that application is the identical person? A Yes sir.
- Q Application is now being made for her for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that she is entitled to be identified by this Commission as a Choctaw Indian, entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Because she has the blood.
- Q Does she make her claim under the provisions of the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your wife's ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A Not that I know of.
- Q What was the name of your wife's ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, and who at that time a recognized member of that tribe? A William Harris.
- Q What relation was William Harris to your wife? A Great great grandfather.
- Q Have you any evidence showing that your wife, Estella Trice, was a direct lineal descendant of William Harris. A Yes sir.
- Q Have you any evidence showing that William Harris was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I do not know.
- Q Did William Harris, or any other of your ancestors through whom your wife claims this right to identification, ever receive or claim any land in Mississippi as a beneficiary under the 14 article of the treaty of 1830? A I do not know.
- Q Have you any children? A Yes sir.
- Q What is the name and age of the child? A Eddie Leon Trice, two years old.
- Q You are the father of this child are you? A Yes sir.
- Q Estella Trice, the mother? A Yes sir.
- Q This child lives with you at your home? A Yes sir.
- Q And the claim of this child is identical with that you make on behalf of your wife? A Yes sir.
- Q Is there any additional statement that you desire to make in support of this application? A No sir.
- Q Is there any written evidence that you desire to offer the Commission for its consideration? A Yes sir.

Attorney:

Here attorney for applicant asks 15 days within which to file written evidence in support of this application.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing within 15 days from the date hereof.

The decision of the Commission as to the application made by you on behalf of your wife and on behalf of your ~~minor child for identification as Mississippi Choctaws~~, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 5th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. V. Emerson
Notary Public.

Waskagaw, Indian Territory, March 20, 1901.

Messrs. Nathan & Arnold,

Armore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing the following papers:

Certified copy of marriage license and certificate between Mr. R. W. Trice and Miss Estelle White, to be filed in support of the claim of Estelle White et al, to identification as Mississippi Choctaws.

Marriage certificate between Mr. John M. B. Williams and Mrs. R. V. Skidmore, for filing with the application of John M. B. Williams et al, for identification as Mississippi Choctaws.

The papers have been duly filed with the other records in the cases above named, and will receive the attention of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,

Acting Chairman.

MC 980
MC 1013

Muskogee, Indian Territory, November 29, 1901.

Estelle Trice,
Gainesville, Texas.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 5, 1900, your husband, Britton W. Trice, made personal application to this Commission for the identification as Mississippi Choctaws of yourself and minor child, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

H. T. - R.

January 13, 1908, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M. C. - 1015

Acting Chairman.

COMMISSIONERS
HENRY L. DAVIS,
TAMM BERRY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE,
ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
COPY.

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 1013

ADDRESS ONLY IN
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 13, 1902.

Estella Trice,

Gainesville, Texas,

Dear madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

“The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

“‘Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.’

“It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

T. B. Needles.

Commissioner in Charge.

Registered.

P.O.R., 1013.

Muskogee, Indian Territory, April 24, 1902.

Estella Price,
 Gainesville, Texas.

Dear Madame:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 1013.

COPY

Muskogee, Indian Territory, November 16, 1906.

Estella Trice,

Havia, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Cams Bixby.
Commissioner.

No. 1013

For Identification as a Mississippi Choctaw.

Date NOV - 5 1900

Name Estella Trice

Age 25 Blood 1/16

Post Office, Gainesville, Texas.

Father: Edward White - ✓

Mother: Louisa White - dead.

Claims through mother

HUSBAND:

Britton W. Trice ✓

Children:

Eddie Leon Trice 2.

Application made by B. W. Trice
for wife and minor child.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 5 1900



ACTING CHAIRMAN

Choc. MCR 1014

William S. Mundell

See MCD 1

MCR 1014

William S. Mondell et al

REFER TO M. O. B. D. /

REFUSED.

DECISION RENDERED. MAR 8 1902

NOTICE OF DECISION MAILED APPLICANT:

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES .
MUSKOGEE, I. T. NOVEMBER 6, 1900.

NO. 1014.

In the matter of the application for identification as Mississippi Choctaws, of William Stanton Mundell and his seven minor children. William Stanton Mundell, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A William Stanton Mundell.
Q What is your age? A I am 39 years old.
Q What is your post office address? A Newcastle, Indian Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
A I have been there not quite 30 days yet. Been there a little over three weeks.
Q That the only residence you have had in the Indian Territory? A I have been in the Indian Territory off and on for a year.
Q Have you ever had a residence in the Indian Territory previous to the past 30 days? A No sir.
Q Where did you live prior to your residence in the Indian Territory? A I lived in Oklahoma.
Q How long in Oklahoma? A 4 years.
Q Where did you live prior to that time? A Part of the time in Kansas.
Q How long in Kansas? A I lived in Kansas 34 years.
Q Born in Kansas? A Yes sir.
Q Lived there up to the time you moved to Oklahoma? A Yes sir.
Q And lived there 4 years? A Yes sir.
Q The times that you were in the Indian Territory before where was your home? A I did not have any home established in the Indian Territory.
Q Where was it, at that time? A In the Osage and Chickasaw country?
Q Where was your residence at that time? A In Oklahoma.
Q Have you any residence in Oklahoma now? A No sir, I have not.
Q How much Choctaw blood do you claim? A About 1/16.
Q What is your father's name? A Joseph Mundell.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Millie Ann Mundell.
Q She living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw blood? A Mother.
Q Is your mother's name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Has she ever been recognized by the Choctaw tribal authorities as a citizen of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities by

- any official act of their National Council as a Choctaw?
- A No sir.
- Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of this Commission or the Choctaw tribal authorities? A No sir.
- Q Have you ever prior to this time made application to either the tribal authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is your first application of any description? A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the 14 article of the treaty of 1830? A Well, I have always understood that that treaty provided for people who had Indian blood in them.
- Q What part of that treaty has any such provisions as that? A I do not know as I have ever read it.
- Q You are making your application under the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A Not that I know of.
- Q What is the name of your ancestors who resided in Mississippi in 1830, at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A William Harris.
- Q What relation was William Harris to you? A William Harris is great grandfather to my mother. I suppose he would be my great great grandfather.
- Q Have you any evidence showing that you are a direct lineal descendant of William Harris? A Yes.
- Q Have you any evidence showing that William Harris was a recognized member of the Choctaw tribe of Indians in 1830? A I think I have.
- Q What is it? A I do not know as I can tell you.
- Q Why do you think you have? A Because I have always understood it was so.
- Q Have you any evidence that William Harris was a recognized member of the Choctaw tribe of Indians in 1830? A I do not know as I can give a definite answer to that question.
- Q Did any of your ancestors through whom you might claim this right to identification, ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A Not that I know of.
- Q Do you make any claim by reason of any other treaty stipulations between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Alice Adaline Mundell.
- Q She living? A Yes sir.
- Q How old is she? A She is 36 years old.
- Q She a white woman? A Yes sir.
- Q Never made any claim to Indian citizenship by blood? A No sir.

- Q Do you make any claim for her? A No sir.
 Q She the mother of your 7 children? A Yes sir.
 Q Where did you marry her? A Married her in the state of Kansas.
 Q When? A In 1884.
 Q Married to her in accordance with the laws of the state of Kansas? A Yes sir.
 Q Have you your marriage license and certificate? A I have it, but not with me.
 Q It will be necessary for the Commission to be supplied with the evidence of your marriage to your wife for the identification of your children. Q What are the names and ages of your children? A Nellie May, 15; Mary V. 13; John Whitefield, 11; Millie Francis, age 9; Margaret D., 7 years old; William Reed, 4 years old, and Odra Leroy, 5 months old.
 Q That all? A Yes sir.
 Q You the father of these 7 children? A Yes sir.
 Q Alice A. Mundell the mother? A Yes sir.
 Q Any additional statement that you desire to make in support of this application? Not at present I believe. I do not know that I have any.
 Q Any written evidence that you desire to offer the Commission for its consideration?

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing with this Commission within 15 days from the date hereof.

The decision of the Commission with reference to your application and the application you make on behalf of your 7 minor children will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 6th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. Munton
 Notary Public,

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.
—
ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 29, 1901.

William S. Mundell,
Newcastle, Indian Territory.

Dear Sir:

In the matter of the applications for identification as
Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

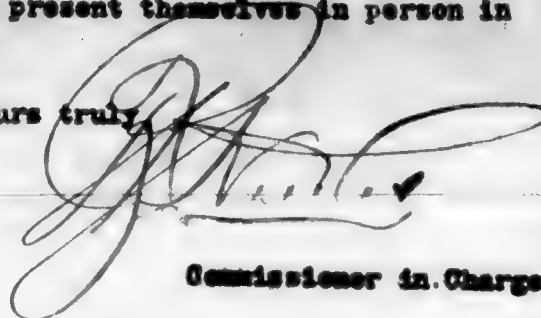
It appears from our records that at Muskogee, Indian Territory; on November 5, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and seven minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

W. S. K.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,



Commissioner in Charge.

M.C.-1014

COMMISSIONERS
HENRY L. DAWES,
TAMS BIRBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Miss. Choct. 1014

COPY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 15, 1902.

William S. Mundell,
Newcastle, Indian Territory,

Dear Sir:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelie Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississispi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *I. B. Needles.*

Commissioner in Charge.

Registered.

M.C.R., 1014.

Muskogee, Indian Territory, April 24, 1902.

William S. Mundell,
Newcastle, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 1014.

COPY
Muskogee, Indian Territory, November 18, 1906.

William S. Mundell,
Newcastle, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Cams Bixby.
Commissioner.

No. 1014

For Identification as a Mississippi Choctaw.

Date NOV -6 1900

Name William S. Mundell.

Age 39 Blood 1/16

Post Office, Newcastle, I. T.

Father: Joseph Mundell - ✓

Mother: Millie C. Mundell - ✓

Claims through mother.

WIFE: Alice C. Mundell - 36
(No claim for wife).

Children:

Nellie M. Mundell	15
Mary V. "	13
John W. "	11
Millie G. "	9
Margaret H. "	7
William R. "	4
Odette L.	mo.

U.S.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

FEB 5 1902



ACTING CHAIRMAN



Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Return to the Department

Division of Reclamation

Indian Territory.

Choc. MCR 1015

Bonie Sutton

MCR 1015

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 6, 1900.

NO. 1015.

In the matter of the application for identification as Mississippi Choctaws of Bonie Sutton and her two minor children. Scott Sutton, the husband of Bonie Sutton, testified on behalf of his wife and children, as follows:

Examination by the Commission:

- Q What is your name? A Scott Sutton.
Q What is your age? A 24.
Q Are you a resident of the Indian Territory? A Paris, Texas.
Q Yes sir.
Q You want to make application for the identification of your wife, Bonie Sutton and two minor children? A Yes sir.
Q Where is your wife? A She is over at Paris.
Q Why cannot she come? A She is sick.

Commission:

There is offered in evidence a certificate of George S. Stell, as to the inability of Mrs. Bonie Sutton to travel, and her inability to appear in person before the Commission, and application is made on her behalf and on behalf of her children by her husband.

- Q What is your wife's name? A Bonie Sutton.
Q How old is she? A About 23.
Q What is your wife's post office address? A Paris, Texas.
Q Does she live in Texas? A Yes sir.
Q How long has she been there? A She has been there about a year and six months.
Q Where did she live before that? A At Ardmore, Indian Territory.
Q How long did she live there? A About 4 months.
Q Did she ever maintain a residence in the Indian Territory? A No sir.
Q The four months that she was there was she on a visit? A She stayed with her mother.
Q Her residence was in Texas? A It was in Texas.
Q Where was your wife born? A She was born in Paris.
Q Lived there all her life with the exception of these four months that she was on a visit to the Indian Territory? A Yes sir.
Q How much Choctaw blood does she claim? A 1/4.
Q What was her father's name? A Claborn Denton.
Q He living? A Yes sir.
Q What is your wife's mother's name? A Queenie Denton.
Q She living? A She is dead.
Q Through which one of her parents does she claim her Choctaw blood? A From her father.
Q Was her father an Indian? A Yes sir.
Q How much Choctaw? A 1/8.
Q 1/2 Choctaw and 1/8 Negro? A Yes sir.
Q What was your wife's mother? A She was a Negro.

- Q Was the name of your wife's mother ever on any of the tribal rolls of the Choctaw Nation? A No sir, not that I know of.
- Q Did your wife ever make application to the Choctaw tribal authorities for enrollment as a Choctaw? A No sir, I never heard of it.
- Q Are you in possession of a sufficient statement of facts as regards your wife's citizenship in the Choctaw Nation to testify on her behalf? A Speak it again.
- Q Do you know anything about your wife's claim to citizenship in the Choctaw Nation? A No sir.
- Q Why do you want to testify in her behalf? A I came to testify in her place.
- Q Tell me all about your wife's citizenship in the Choctaw Nation? A She claims to be a Mississippi Choctaw.
- Q What does she claim? A The right. She has Choctaw blood.
- Q Do you know anything about her having Choctaw blood? A Her grandmother is a full blood Indian.
- Q Do you know this as a fact? A I have always heard it.
- Q Do you know whether she has ever been enrolled? A I heard her say so.
- Q We do not care what you have heard. A No sir, I do not know whether she has been enrolled or not.
- Q Do you know anything about her citizenship, or her rights to citizenship? A No sir.

Examination by attorney:

- Q Sutton, do you know your wife's father? A Yes sir.
- Q Also her grandmother? A Yes sir.
- Q Mrs. Pertate is her grandmother is she? A Yes sir.
- Q Do you know whether she is an Indian? A Yes sir.
- Q How long have you known her? A 14 or 15 years.
- Q Do you know whether or not she is a full blood? A Yes sir.
- Q Do you know whether your wife's father is a son of Mrs. Pertate, or Coffey? A Yes sir, I know that.
- Q Do you know whether or not an application was made for your wife by her grandmother? A Yes sir.
- Q She is the same party that appears in the original application of Mrs. Pertate, or Coffey? A Yes sir.
- Q Do you know whether Mrs. Pertate was ever on the rolls or not? A Yes sir.
- Q Was she, or was she not? A She says she was.
- Q Did she say she was on the old Indian roll, or appeared before the Commission? A She appeared before the Commission.
- Q Was she on the old Indian rolls? A She said she was on it, yes sir.

Examination by the Commission:

- Q Did your wife ever make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
- Q How do you know she didn't? A She said she didn't, and I know she didn't. June 10th, 1896, her grandmother made application for her about that time.
- Q When did her grandmother make this application to this Commission? A I do not remember exactly when it was. I know they came over to a little place called Colbert.

- Q When was that? A I don't remember exactly when it was.
- Q About how long ago? A About three or four years ago. Between three and four.
- Q Sure about that? A I do not know exactly when it was. I did not keep no account of it.
- Commission: The name of Bonnie Sutton, and her child, Sugar, appears in the application that was made by Emaline Partate before the Commission at Colbert, Indian Territory in October, 1898. Mississippi Choctaw Card, Field No. D-2.
- Q You are making application for the identification of your wife and children as Mississippi Choctaws? A Yes sir.
- Q Why is she entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830?
- A Why, by her grandmother.
- Q Her grandmother gave her that right? A No sir, her grandmother came in under the 14 article.
- Q Came in where? A Applied to the Choctaw Nation.
- Q Has her grandmother ever been recognized as a citizen of the Choctaw Nation by the Choctaw authorities.
- A I cannot answer that question.
- Q Did any of your wife's ancestors ever receive or claim any land in Mississippi as beneficiaries under this 14 article of the treaty of 1830? A Any of her ancestors.
- Q Yes sir, do you know what an ancestor is? A No sir.
- Q Any of her parents, or grandparents or great grandparents or any of her people to whom she was related, ever receive or claim any land in Mississippi? A Not as I knows of.
- Q Do you know anything about it? A No sir. No sir, she never received none as I knows of.
- Q Does your wife base her application solely on the provisions of article 14 of the treaty of 1830? A Yes sir.
- Q When did you marry her? A In 1896, September 26th.
- Q Where? A Paris.
- Q You are not making any claim for yourself are you? A No sir.
- Q Have you any children? A Two.
- Q What are their names and ages? A One we call Sugar.
- Q That her name? A No sir.
- Q What is it? A Maggie L., she is 3 years old.
- Q The next one? A Burkley Sutton.
- Q How old is he? A About a year and six months.
- Q Are you the father of both of these children? A Yes sir.
- Q Bonnie Sutton is the mother? A Yes sir.
- Q Is there any additional statement that you desire to make in support of your application? A No sir.
- Q Any written evidence that you desire to offer the Commission for its consideration in support of this application?
- A No sir.

Commission:

The decision of the Commission as to your application, made by you on behalf of your wife and two minor children, for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

Ms. 1015.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilised Tribes she reported in full all proceedings had in the above entitled cause on the 6th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. P. Emerson

Notary Public.

Muskogee, Indian Territory, March 15, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 9, inclosing marriage licenses as follows:

Certified copy of marriage license and certificate between Scott Sutton and Bonnie Denton, for filing in support of the application for identification as Mississippi Choctaws of Bonnie Sutton, et al.

Certified copy of marriage license and certificate between Clayborne Denton and Queenie Wright, for filing in support of the application of Clayborne Denton et al for identification as Mississippi Choctaws.

Certified copy of marriage license and certificate between Tobe Crisp and Miss Jane Denton, to be filed in support of the application for identification as Mississippi Choctaws of Jane Crisp, et al.

~~MC 972~~ Certificate between George E. Robinson and Lula E. Denton, to be filed with the application of Lula Roberson for identification as Mississippi Choctaw. The papers have been duly filed with the cases named.

MC 972
MC 973
MC 1002
MC 1016

Yours truly,

Acting Chairman.

M.C.R. 1018

Waskagee, Indian Territory, August 30, 1902.

Bonie Sutton,
Paris, Texas.

Dear Madam:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Rebernen, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonie Sutton, et al.,	"	1018

These applications were made under the provisions of the act of Congress of June 25, 1898 (30 Stats., 495) which is as follows:

B S

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Mollie Denton, Enola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Ressie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Margie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered:

M C R 1015

Muskogee, Indian Territory, January 13, 1903.

Bonnie Sutton,
Paris, Texas.

Dear Madam:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Emeline Goffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

Bonie Sutton---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Registered.

M.C.R. 1015

COPY.

Muskogee, Indian Territory, January 4, 1905.

Bonie Sutton,
Paris, Texas,

Dear Madam:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your children, Maggie L. and Burkley Sutton, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED).

James Bixby

Chairman.

MCR-1018

Muskogee, Indian Territory, October 29, 1906.

Bonnie Sutton,
Paris, Texas.

Dear Madam:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,

Commissioner.

No. 1015

For Identification as a Mississippi Choctaw.

Date NOV -6 1900

Name Bonie Sutton. 23.

Age 23 Blood 1/4

Post Office, (Paris, Texas.

Father: Claborn Denton - ✓

Mother: Queenie Denton - dead

Claims through Father.

HUSBAND:

Scott Sutton. 24.

(No claim for husband).

Children:

Maggie L. Sutton 3.

Burkley 1

(Application made by Scott
Sutton, husband, on behalf
of Bonie Sutton & children).
Make reference to M.C.N. 24-840

IV 6 1900

Bowie Sutton et al.

TO

THE

COURT OF COMMONS

IN

FOR

THE

JAN

RECEIVED

Jan 10 1871

Choc. MCR 1016

Joseph Hughes

MCR 1016

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, IND., NOVEMBER 8, 1900.

NO. 1016.

In the matter of the application for identification as Mississippi Choctaws of Joseph Hughes, and his one minor child. Joseph Hughes, being first duly sworn, testified as follows:

Examination by the Commission:

Q What is your name? A Joseph Hughes.

Q What is your age? A 28.

Q What is your post office address? A Ardmore, Indian Territory.

Q You live at Ardmore? A Yes sir.

Q How long have you resided in the Indian Territory.

A About a year and nine months.

Q Maintained a continuous residence here during that time?

A Yes sir.

Q Where did you live before that? A Paris, Texas.

Q How long did you live in Texas? A All my life until I moved to Ardmore.

Q Born there? A Yes sir.

Q Lived there until you moved to the Indian Territory?

A Yes sir.

Q How much Choctaw blood do you claim? A 1/4.

Q What is your father's name? A John Hughes.

Q Your father living? A Yes sir.

Q What is your mother's name? A Maria Hughes.

Q Is your mother living? A Yes sir.

Q Through which one of your parents do you claim your Choctaw blood? A My mother.

Q Was your mother's name ever on any of the tribal rolls of the Choctaw Nation? A Not that I know of. Until recently.

Q Is it on there recently? A So she says.

Q You say her name was placed on the Choctaw rolls?

A She went there to the Commission at Colbert in 1898.

Q Did they put her name on the rolls? A She went there to be enrolled; I think they did.

Q You do not know whether they did or not? A She said they enrolled her.

Q She went there for the purpose of being enrolled? A Yes sir.

Q She never has been enrolled yet, has she? A I do not know.

Commission:

Tribal rolls of the Choctaw Nation in possession of the Commission, examined, and the name of Maria Hughes, the mother of the applicant, is not found thereon.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A Yes sir, they said they enrolled me too.

Q Don't you mean that there was an application made for you by your mother in 1898? A Yes sir.

Q My question to you is, is your name on any of the tribal rolls of the Choctaw Nation? A Yes sir.

- in Mississippi as a beneficiary under the 14 article of the treaty of 1830? A Not that I know of.
- Q Do you may any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians?
- Q A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Carrie Hughes.
- Q What is her age? A 33.
- Q You making any claim for her? A No sir.
- Q What is she, a white woman? A Colored woman.
- Q Negro? A Negro.
- Q How much Choctaw blood have you? A 1/4.
- Q Where did you marry Carrie Hughes? A Paris, Texas.
- Q When? A 1893.
- Q Under the laws of the state of Texas? A Yes sir.
- Q Got your marriage license and certificate? A Yes I did have— gave them to Mr. Arnold.
- Q What are the names and ages of your children for whom you wish to make application? A Allene Hughes, 2 years old.
- Q Any more? A That is all.
- Q Your wife living? A Yes sir.
- Q You living with her? A No sir.
- Q Where is this child? A It is in Paris, Texas.
- Q Who with? A Its mother.
- Q You divorced from the mother? A Yes sir.
- Q Who has the custody of this child? A I never asked for the child, it was too young to take from her.
- Q How were you divorced? A Just went and got a divorce.
- Q Who got it? A She got it.
- Q On what grounds? A I do not know, I never noticed what it was. She did not want to live in the Territory and I knowd I was not going back there.
- Q Where is this child living? A It is living with her.
- Q Have you given her this child? A Until it gets large enough for me to take it.
- Q What kind of an agreement have you to that? A I haven't any yet.
- Q Did the court in granting the divorce give her the child?
- A No sir, it didn't give it to either of us. They sent a citation and I signed it and sent it back, and I heard from there the other day and said she had a divorce. I have not been down there to see about it.
- Q How long have you been separated? A About a little over a year.
- Q Have you seen the child since then? A I have seen it once since then.
- Q But during all that time since you separated she has had the child with her? A Yes sir.
- Q Ever contribute anything towards the support of this child?
- A No sir.
- Q Have you ever contributed anything towards the support of your wife? A Yes sir.
- Q How long ago? A About a month ago.
- Q Since the divorce? A Yes sir. I didn't know she had a divorce and I sent her some money, and when she wrote again she said she had a divorce.
- Q Is there any additional statement that you desire to make in support of this application? A No sir.

- Q Do you know that it is? A No sir.
- Q Then why do you say 'yes'? A Because they told me that.
- Q Told you what? A That I was on the rolls.
- Q What did she tell you? A Said that they made application at Colbert and enrolled me.
- Q Did she say that they had been enrolled? A That is what she told me.
- Commission:
The name of the applicant does not appear upon any of the tribal rolls of the Choctaw Nation.
Reference is made to Mississippi Choctaw Card, No. D-2 and R-960.
- Q Did you, or anyone in your behalf, in 1896, make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?
- A June 10, 1896? A Yes sir.
- Q What do you mean by saying yea sir, when you do not know?
- A Explain it to me again.
- Q Four years ago did you make application to this Commission, or did anyone else, for enrollment in the Choctaw Nation?
- A No sir.
- Q What did you mean when you said 'yes sir'? A Did not, No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of this Commission or the decision of the Choctaw tribal authorities?
- A No sir.
- Q The only application that has ever been made in your behalf prior to this time was the application made by Emaline Pertate or Coffey, in 1898? A Yes sir.
- Q And you are making application now for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of 1830? A Well, from my grandmother being a full blood, and my mother a half breed and I am one-fourth.
- Q You are then making this application by virtue of the fact that you have Indian blood? h A Yes sir.
- Q How much Choctaw blood do you have? A 1/4.
- Q Are you making your claim under the provisions of the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A Did ever they comply?
- Q Yes sir. A I do not know.
- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe?
- A Emaline Pertate.
- Q Was she a recognized member of the Choctaw tribe of Indians in 1830? A Yes sir, she must have been recognized then.
- Q How was she recognized by the Choctaw tribe? A I do not know, sir.
- Q Did any of your ancestors through whom you might claim this right to identification ever receive or claim any land in

Q Any written evidence that you desire to offer the Commission?
Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing with this Commission within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your minor child, for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 6th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. V. Emerson
Notary Public.

Ardmore, I. T. February 18, 1903.

To the Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of the records in my case that under the rule of law, the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES TO MARK:

S. M. Long
G. J. L. L. L.

Joseph Hughes

Mustoge, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,

Armore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of March 11, inclosing papers for filing with Mississippi Choctaw cases as follows:

Certified copy of marriage license and certificate between C. A. Cummings and Mollie Hull, to be filed in support of the claim of Charles A. Cummings for identification as a Mississippi Choctaw.

Certified copy of marriage license and certificate between W. H. Cummings and Miss L. Cummings, to be filed with the application of William H. Cummings et al. for identification as Mississippi Choctaws.

Certified copy of marriage license and certificate between Mr. Joseph Hughes and Miss Carrie Williams, to be filed in support of the application of Joseph Hughes et al. for identification as Mississippi Choctaws.

The papers have been made a part of the record in the above named cases, and will receive the consideration of the Commission in the determination of these claims.

Yours truly,

Acting Chairman.

MC 924
MC 928
MC 1016

M.C.R. 1016

Muskogee, Indian Territory, August 30, 1902.

Joseph Hughes,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emeline Coffey, et al., embracing the following applications for identification as Mississippi Choctaws:

Emeline Coffey,	M.C.R.	960
Jennie Gray,	"	963
John Denton, et al.,	"	964
Estella Denton,	"	965
Maria Hughes,	"	966
Billy Denton, et al.,	"	967
Mary Ann Graves,	"	968
Claborn Denton, et al.,	"	969
Grif Denton, et al.,	"	970
Martie Reed,	"	999
Texanna Hickman, et al.,	"	1000
Jane Crisp, et al.,	"	1002
Bettie Watkins, et al.,	"	971
Claborn Denton, et al.,	"	972
Lula Roberson, et al.,	"	973
Joseph Hughes, et al.,	"	1016
Bonic Sutton, et al.,	"	1015

These applications were made under the provisions of the act of Congress of June 22, 1898 (30 Stats., 495) which is as follows:

J H

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emeline Coffey, Jennie Gray, John Denton, Texanna Denton, Estella Denton, Maria Hughes, Billy Denton, Hosi Denton, Rhola Denton, Mary Ann Graves, Claborn Denton (No. 1), Hubbard Denton, Burt Denton, Beatrice Denton, Doc Denton, Margie Denton, Grif Denton, Eva Denton, Willie Denton, Martie Reed, Texanna Hickman, Bessie Hickman, Willie Hickman, Jane Crisp, John Henry Crisp, Robert S. Crisp, Carrie Crisp, Sallie May Crisp, Jinnie Etta Crisp, Sampson Crisp, Bettie Watkins, Richard Watkins, Willie Watkins, Seymour Watkins, Claborn Denton (No. 2), Ethel Denton, Eugenia Denton, Roy Denton, Lula Roberson, Georgia May Roberson, Queen Esther Roberson, Norma Fay Roberson, Joseph Hughes, Allene Hughes, Bonie Sutton, Maggie L. Sutton and Burkley Sutton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

M C R 1016

Muskogee, Indian Territory, January 13, 1903.

Joseph Hughes,

Ardmore, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of December 18, 1902, remanded to this Commission the record theretofore forwarded to the Department in the consolidated Mississippi Choctaw case of Eneine Coffey, et al., with instructions that the claims of the several applicants therein be examined and adjudicated with reference to any rights they may have under the following provision of the Act of Congress approved July 1, 1902 (32 Stats., 641) which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the

J. Hughes---2

descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

In accordance with such instructions you are hereby notified that the Commission will, at its Office at Muskogee, Indian Territory, up to and inclusive of Wednesday, February 11, 1903, hear the testimony of such persons as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to show the right of the several applicants in this consolidated case to be identified as Mississippi Choctaws under the provision of law above quoted.

Respectfully,

Acting Chairman.

Registered.

M.O.R. 1016

COPY.

Muskogee, Indian Territory, January 4, 1905.

Joseph Hughes,
Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that on the 14th day of December, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Emeline Coffey et al., including you and your child, Allene Hughes, of which decision you were advised by registered mail on the 30th day of August, 1902.

Respectfully,

(SIGNED)

James Dixby

Chairman.

REFER IN REPLY TO THE FOLLOWING:

MCR-1018

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

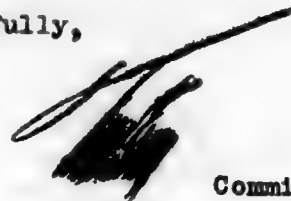
Muskogee, Indian Territory, October 29, 1906.

Joseph Hughes,
Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior, on October 17, 1906, reaffirmed the decision of the Commission to the Five Civilized Tribes of August 30, 1902, denying the application for the identification of Emaline Coffey et al. as Mississippi Choctaws.

Respectfully,



Commissioner.

No. 1016

For Identification as a Mississippi Choctaw.

Date NOV -6 1900

Name Joseph Hughes.

Age 28 Blood 1/4

Post Office, Ardmore, S. D.

Father: John Hughes - ✓

Mother: Mariah Hughes - ✓

Claims through mother.

WIFE:

Carrie Hughes - 23
(No claim for wife).

Children:

Allene Hughes 2.

(Make reference to M. C. R. 2,
and M. C. (R. 96c).

Ind. 15.

11. 15.

IV 6 1900

11. 15.

AUG 30 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG 30 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG 30 1902

RECORD FORWARDED DEPARTMENT.

AUG 30 1902

DEMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

DEC 18 1902

RECORD FORWARDED DEPARTMENT.

JUN 20 1904

ACTION APPROVED BY
SECRETARY OF INTERIOR.

DEC 14 1904

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JAN 4 - 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JAN 4 - 1905

C. N. 960

772

CORRECTION

**THIS DOCUMENT
HAS BEEN
REPHOTOGRAPHED
TO ASSURE
LEGIBILITY**

Joseph Hughes et al

REFUSED

DECISION RENDERED

AUG 30 1902

NOTICE OF

AUG 30 1902

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ACTION APPROVED BY
SE

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JAN 1 1905

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See him



DEPARTMENT OF THE INTERIOR
Commissioner to the Bureau of Land Management

FILED

DEC - 7 1908

Special Agent



1016

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.



Joseph. Hughes,

~~Muskogee, Indian Terr.~~
Return to writer unclaimed.



Choc. MCR 1017

Nancy A. McKinnon

MCR 1017

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T. NOVEMBER 6, 1900.

NO. 1017.

In the matter of the application for identification as Mississippi Choctaws of Nancy A. McKinnon and her six minor children. Nancy A. McKinnon, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Nancy A. McKinnon .
- Q What is your age? A 48.
- Q What is your post office address? A Arlington, Oklahoma.
- Q You live in Oklahoma? A Yes sir.
- Q How long have you resided there? A 11 months.
- Q Where did you live before that? A Lived in the Creek Nation 5 years.
- Q Where in the Creek Nation. A Close to McDurmet.
- Q Where did you live prior to your residence in the Creek Nation? A Arkansas.
- Q How long in Arkansas? A Born and raised there.
- Q Did you ever live in Mississippi? A No sir.
- Q Ever live in the Choctaw or Chickasaw Nations in the Indian Territory? A No sir.
- Q How much Choctaw blood do you claim? A 1/8.
- Q What is your father's name? A Pleasant Vernon.
- Q He living? A No sir.
- Q What is your mother's name? A Lucinda Vernon.
- Q Your mother living? A No sir.
- Q Through which of your parents do you claim your Choctaw blood? A Father.
- Q How long has your father been dead? A Been dead, I think about 35 years.
- Q Was his name ever on any of the tribal rolls of the Choctaw Nation? A I do not know.
- Q Was your name on any of the tribal rolls of the Choctaw Nation? A I do not guess it is.
- Q Have you any reason to believe that it is? A No sir.
- Q You are reasonably sure that it is not there on any of the tribal rolls? A If it is on there, I do not know it.
- Q That is your purpose in coming here this morning is it?
- A Yes sir.
- Q Did you ever make application to the Choctaw tribal authorities for citizenship in that Nation? A No sir.
- Q Have you ever been recognized by the tribal authorities of the Choctaw Nation by any official act of their National Council as a Choctaw? A No sir.
- Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
- Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or the authorities of

- or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is your first application of any description? A Yes.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified as a Choctaw Indian, entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A I am a descendant of a Choctaw.
- Q Why do you believe that you are entitled to this right under the provisions of the 14 article of the treaty of 1830? (No answer)
- Q How does this 14 article of the treaty of 1830 affect you? A Well, I don't know.
- Q You are making your application under the provisions of the 14 article of the treaty of 1830 are you not? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A I do not know.
- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time that the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A Green Vernon.
- Q What relation was Green Vernon to you? A Great grandfather.
- Q Have you any evidence showing that you are a direct lineal descendant of Green Vernon? A Have not, no sir.
- Q How do you know that Green Vernon was your great grandfather? A I don't guess I know it.
- Q How do you establish the fact that Green Vernon was your great grandfather -- have you any evidence to prove that that is so? A (No answer)
- Q Have you any evidence that Green Vernon was your great grandfather? A Well, I will have to go to the records.
- Q Have you any records to show that that is a fact? A No sir, I have not.
- Q Have you any evidence to show that Green Vernon was a recognized member of the Choctaw tribe of Indians in 1830? A I have not.
- Q Did Green Vernon or any other of your ancestors ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A I don't know.
- Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A David McKinnon.
- Q How old is he? A 50.
- Q Do you make any claim for him? A No sir.
- Q He a white man? A Yes sir.
- Q Never made any claim to Indian citizenship by blood? A No sir.
- Q How many children have you under 21 years of age and unmarried? A I have six under 21.
- Q What are their names and ages? A George P. McKinnon, 20; David McKinnon, 18; John G. McKinnon, 14; James A. McKinnon, 12; Newton G. McKinnon, 10; Adelbert A. McKinnon, 4.
- Q That all? A Yes sir.
- Q Are you the mother of these six children? A Yes sir.
- Q David McKinnon the father? A Yes sir.
- Q These children all live with you at your home? A Yes sir.

Q Is there any additional statement that you desire to make in support of your application? A No sir.
Q Any written evidence you desire to offer the Commission for its consideration? A

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date.

Commission:

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing with this Commission within 15 days from the date hereof.

The petition of Nancy A. McKennon, offered in evidence, marked Exhibit A, filed and made a part of the records in this case.

Examination by Attorney:

Q Mrs. McKennon, is it your intention to move into the Choctaw or Chickasaw Nation? A Yes sir.

Q In the near future for the purpose of making it your home? A Yes sir.

Commission:

The decision of the Commission as to your application and the application you make in behalf of your six minor children will be mailed to you in writing in the near future at your present post office address.

—d—

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 6th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. Emerson

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Nancy A. McKinnon for the identification of herself and her minor children, George P., David, John C., James A., Newton G., and Adelbert A. McKinnon, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that Nancy A. McKinnon appeared before the Commission at Muskogee, Indian Territory, November 6th, 1900, and there made application for the identification of herself and her minor children, George P. McKinnon, David McKinnon, John C. McKinnon, James A. McKinnon, Newton G. McKinnon, and Adelbert A. McKinnon, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Nancy A. McKinnon and her minor children, George P. McKinnon, David McKinnon, John C. McKinnon, James A. McKinnon, Newton G. McKinnon, and Adelbert A. McKinnon, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory

ACTING CHAIRMAN.

this ____ day of _____ 1901.

COMMISSIONERS:
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE,
ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October 5, 1901.

Nancy A. McKinnon,
Arlington,
Oklahoma Territory.

Dear Madame:-

In the matter of the applications for identification as
Mississippi Choctaws of

Richard H. Vernon et Al.,
Annie Payne et Al.,
Charlie P. Vernon et Al.,

you are informed that under date of July 25, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

Our records show that you appeared before this Commission at Muskogee, Indian Territory, on November 6, 1900, and applied for the identification as Mississippi Choctaws of yourself and six minor children, claiming descent from the same common ancestor.

In accordance with such instructions you are hereby notified that at the Office of the Commission to the Five Civilized Tribes, at Atoka, Indian Territory, on Monday, November 11, 1901,

N. A. M., #2.

at nine o'clock A. M., there will be heard the testimony of such witnesses as you may desire to present in person in support of your application.

Yours truly,

A handwritten signature in dark ink, appearing to be a stylized 'M' or 'W' with a flourish.

Acting Chairman.

H.C.1017.

M.C.R. 1017

Muskogee, Indian Territory, November 22, 1902.

Nancy A. McKinnen,
Arlington, Oklahoma.

Dear Madam:

You are hereby notified that on the 11th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Richard H. Vernon, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,

(SIGNED)

Tamm Dwyer
Acting Chairman.

COMMISSIONERS.
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 1017

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 31, 1903.

Nancy A. McKinnon,

Arlington, Oklahoma Territory.

Dear Madam:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Richard H. Vernon, et al., embracing the following applications for identification as Mississippi Choctaws:

Richard H. Vernon, et al.,	M. C. R.	157
Annie Payne, et al.,	M. C. R.	158
Charlie P. Vernon,	M. C. R.	164
Hettie E. Buchanan, et al.,	M. C. R.	375
James C. Kelley, et al.,	M. C. R.	377
James F. Vernon, et al.,	M. C. R.	378
Mary Stanfield, et al.,	M. C. R.	805
David G. Vernon, et al.,	M. C. R.	807
Christie Croan, et al.,	M. C. R.	808
Frank McDonough,	M. C. R.	809
Ida McDonough,	M. C. R.	810
Mary McDonough,	M. C. R.	811
John T. Vernon,	M. C. R.	812
George W. Vernon, et al.,	M. C. R.	813
William Stanfield,	M. C. R.	814
William L. Vernon, et al.,	M. C. R.	815
Sarah A. McDonough, et al.,	M. C. R.	876
John Frederick Halfacre, et al.,	M. C. R.	878
Mary M. Goodman, et al.,	M. C. R.	880
John B. Vernon, et al.,	M. C. R.	1003
Nancy A. McKinnon, et al.,	M. C. R.	1017
Lovilla A. Holland, et al.,	M. C. R.	1018
Oliver P. Vernon, et al.,	M. C. R.	1296
Elderage C. Vernon, et al.,	M. C. R.	1299
Charlie S. Vernon, et al.,	M. C. R.	1300
Francis M. Vernon, et al.,	M. C. R.	1362
Jefferson Vernon, et al.,	M. C. R.	1406
James M. Vernon, et al.,	M. C. R.	1480
Fannie F. Elliott,	M. C. R.	3571
Minous J. Elliott, et al.,	M. C. R.	3572
Knacy T. Elliott,	M. C. R.	3573
Charles M. Elliott, et al.,	M. C. R.	3574
James L. Elliott, et al.,	M. C. R.	3575

Walter J. Elliott,	M. C. R.	3576
Robert S. Elliott,	M. C. R.	3577
Martha A. Gibson, et al.,	M. C. R.	3578
Martha Jane Hughey, et al.,	M. C. R.	1391
Bertha M. Bryant, et al.,	M. C. R.	1444
Matilda E. Jefferson, et al.,	M. C. R.	4330
Maggie H. E. Holloway, et al.,	M. C. R.	5443

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows :

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior.'

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Richard H. Vernon, Pearly May Vernon, Minnie Irene Vernon, Otha Ellen Vernon, Annie Payne, Virgil Payne, Walter Elbert Payne, Charlie P. Vernon, Hettie E. Buchanan, Charles H. Buchanan, Mary F. Buchanan, James Wm. Buchanan, Eddie E. Buchanan, Lucy A. Buchanan, Gracie E. Buchanan, James C. Kelley, Mary A. Kelley, Mattie L. Kelley, Andrew I. Kelley, Chaude G. Kelley, Howard A. Kelley, Johnie B. Kelley, Steller V. Kelley, James F. Vernon, Myrtle A. Vernon, Benjamin B. Vernon, Willie B. Vernon, Maudie U. Vernon, Johnnie L. Vernon, Samuel A. Vernon, Mary Stanfield, James Stanfield, Luannie Stanfield, Alice Standfield, Frank Stanfield, David G. Vernon, Emma J. Vernon, John Yancy Vernon, Rob. C. Vernon, Samuel Henry Vernon, Lula May Vernon, Christie Croan, Edith Croan, Edward Croan, Stella Croan, Frank McDonough, Ida McDonough, Mary McDonough, John T. Vernon, George W. Vernon, Rhodie Parelee Vernon, Leurah Glades Vernon, William Stanfield, William L. Vernon, Mary E. Vernon, Nevada Edna Vernon, Willie B. V. Vernon, Lula B. Vernon, Roy G. Vernon, Sarah A. McDonough, Thomas Edwards McDonough, Perry Washington McDonough, John Frederick Halfacre, John Everett Halfacre, Charley Alonzo Halfacre, Solon Sylvester Halfacre, Frederick Audustus Halfacre, Thomas Edwin Halfacre, Rosa Lee Halfacre, Annie May Halfacre, Mary M. Goodman, Sudie Irene Goodman, Mary Cleveland Goodman, William Clyde Goodman, Noma Ethel Goodman, Gus Adolph Goodman, Maggie Jensey Goodman, John B. Vernon, Charlie H. Vernon, John J. Vernon, George Vernon, Bessie Vernon, Carl Vernon, Gladys Lillian Vernon, Nancy A. McKinnon, George P. McKinnon, David McKinnon, John C. McKinnon, James A. McKinnon, Newton G. McKinnon, Adelbert A. McKinnon, Lovilla A. Holland, Ernest Ray Holland, Elbert Clair Holland, Roy Cecil Holland, Oliver P. Vernon, Nancy Agnes Vernon, Exer C. Vernon, Odis C. Vernon, Elderage C. Vernon, William N. Vernon, Calla R. Vernon, Henry D. Vernon, Addie C. Vernon, Elderage C. Vernon, Charlie C. Vernon, Verdice E. Vernon, Charlie S. Vernon, Ernest Vernon, Amos Vernon, Florence Vernon, Francis M. Vernon, Ida B. Vernon, John M. Vernon, Nancy L. Vernon, Altie L. Vernon, Jefferson Vernon, Robert R. Vernon, Edna E. Vernon, Lydia E. Vernon, James M. Vernon, Eddie K. Vernon, James O. Vernon, Arthur B. Vernon, Maudie L. Vernon, Fannie F. Elliott, Minous J. Elliott, Callie Elliott, Knacy T. Elliott, Charles M. Elliott, Jessie C. Elliott, Thomas J. Elliott, Garnet A. Elliott, Charles M. Elliott, Jr., James L. Elliott, William H. Elliott, Walter J. Elliott, Robert S. Elliott, Martha A. Gibson, Paul E. Gibson, Nellie L. Gibson, Martha Jane Hughey,

James Nehemiah Hughey, Dora Hughey, Thomas Hughey, Lizzie Hughey, Clarence Hughey, Dewey Hughey, Charles M. Hughey, Bertha M. Bryant, Dollie M. Bryant, Matilda E. Jefferson, William Walter Jefferson, Clarence Virgill Jefferson, Jennie Grace Jefferson, Homer Vernon Jefferson, Maggie H. E. Holloway, Lucille Frances Holloway and Minnie Lee Holloway, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

James Bixby

Acting Chairman.

Registered.

M.C.R. 1017.

COPY

Muskogee, Indian Territory, November 15, 1906.

Nancy A. McKinnon,
Purcell, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 5, 1906, denied the motion filed with this office by Albert J. Lee, attorney at law, Ardmore, Indian Territory, on June 23, 1906, for reconsideration of the consolidated Mississippi Choctaw case of Richard H. Vernon, et al.

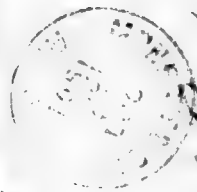
Respectfully,

SIGNED *Tams Bixby.*

Commissioner.



1017



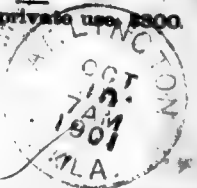
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Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Ind. Ter.



OFFICIAL BUSINESS.
Penalty for private use, \$300.



Uncalled for

Name

Mary A. McAnnon

Front, Erin Springs

Arlington

Chickasaw Nation

Idaho

No. 1017

For Identification as a Mississippi Choctaw.

Date NOV -6 1900

Name Nancy A. Mc. Kinnon.

Age 46. Blood 1/8

Post Office, Arlington, O. T.

Father: Pleasant Vernon dead

Mother: Lucinda Vernon dead.

Claims through father.

HUSBAND:

David Mc. Kinnon 50.
(No claim for husband).

Children:

George P. Mc. Kinnon 20.

David B. " " 18.

John C. " " 14.

James T. " " 12.

Newton E. " " 10.

Adelbert A. " " 1

W. G. H. A.

1900.

Vance H. Hannon et al

REFUSED

DECISION RENDERED.

MAY 13 1902

U.S. DEPT. OF JUSTICE, BUREAU OF PRISONS

100

NOV 11 1902

Choc. MCR 1018

Lovilla A. Holland

MCR 1018

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T. NOVEMBER 6, 1900.

—o—

NO. 1018.

In the matter of the application for identification as Mississippi Choctaws of Lovilla A. Holland and her three minor children. Lovilla A. Holland, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Lovilla A. Holland.
- Q What is your age? A 23.
- Q What is your post office address? A Arlington, Oklahoma.
- Q Are you a resident of Oklahoma? A Yes sir.
- Q How long have you resided there? A About 11 months.
- Q Where did you live before that? A Lived near McDermott in the Creek Nation.
- Q How long in the Creek Nation? A A little over a year, 14 months, I believe.
- Q Where did you live before that? A Arkansas.
- Q How long did you live in Arkansas? A Born and raised there.
- Q Lived there up to the time that you came to the Indian Territory? A Yes sir.
- Q How much Choctaw blood do you claim? A 1/16.
- Q What is your father's name? A David McKinnon.
- Q Is your father living? A Yes sir.
- Q What is your mother's name? A Nancy A. McKinnon.
- Q Is your mother living? A Yes sir.
- Q Through which one of your parents do you claim your Choctaw blood? A Mother.
- Q Was your mother's name ever on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of the Choctaw Nation? A No sir.
- Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
- Q Have you ever prior to this time make any application to either the Choctaw tribal authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is the first application you have ever made of any description? A Yes sir.

- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to rights in the Choctaw Nation under the provisions of the 14 article of the treaty of 1830? A I do not hardly understand.
- Q You are making your application under the provisions of the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A I do not know.
- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A Pleasant Vernon.
- Q What relation was Pleasant Vernon to you? A My great grandfather.
- Q Was he a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I do not know.
- Q Have you any evidence showing that you are a direct lineal descendant of Pleasant Vernon? A No sir.
- Q Did any of your ancestors through whom you claim this right to identification ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A I do not know.
- Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw tribe of Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A George L. Holland.
- Q What is his age? A 28.
- Q Are you making any claim for him? A No sir.
- Q Was he a white man? A Yes sir.
- Q Have you any children? A Yes sir.
- Q How many? A Three.
- Q What are their names and ages? A Ernest Ray, 5 years old; Elbert Clair, 3 years old; Roy Cecil, 8 months old.
- Q That all? A Yes sir.
- Q You are the mother of these three children? A Yes sir.
- Q Geo. L. Holland the father? A Yes sir.
- Q These children all live with you at your home? A Yes sir.
- Q The basis of their claim is the same as yours? A Yes sir.
- Q Is there any additional statement that you desire to make in support of your application? A No sir.
- Q Any written evidence that you desire to offer the Commission for its consideration? A Yes sir.

Attorney:

Here attorney for applicant asks leave to file written evidence in support of this application within 15 days from this date, and also to file written application.

Commission.

The petition and application of Lovilla A. Holland is offered in evidence, marked Exhibit A, filed and made a part of the records in this case. Permission is granted the attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing with this Commission within 15 days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

No. 1018

Kate De Bord, being first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 6th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord.

Subscribed and affirmed to before me this

16 day of November, 1900.

Guy L. Emerson

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Lovilla A. Holland for the identification of herself and her minor children, Ernest Ray, Elbert Clair, and Roy Cecil Holland, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that Lovilla A. Holland appeared before the Commission at Muskogee, Indian Territory, November 6th, 1900, and there made application for the identification of herself and her minor children, Ernest Ray Holland, Elbert Clair Holland and Roy Cecil Holland, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Lovilla A. Holland and her minor children, Ernest Ray Holland, Elbert Clair Holland and Roy Cecil Holland, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory

ACTING CHAIRMAN.

this _____ day of _____ 1901.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.
—
ALLISON L. AVLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 5, 1901.

Lovilla A. Holland,
Arlington,
Oklahoma, Territory.

Dear Madame:-

In the matter of the applications for identification as
Mississippi Choctaws of

Richard H. Vernon et Al.,
Annie Payne et Al.,
Charlie P. Vernon et Al.,

you are informed that under date of July 25, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded to the Department for approval, with instructions that opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

Our records show that you appeared before this Commission at Muskogee, Indian Territory, on November 6, 1900, and applied for the identification as Mississippi Choctaws of yourself and three minor children, claiming descent from the same common ancestor.

In accordance with such instructions you are hereby notified that at the Office of the Commission to the Five Civilized Tribes, at Atoka, Indian Territory, on Monday, November 11, 1901,

L. A. H., #2.

at nine o'clock A. M., there will be heard the testimony of such witnesses as you may desire to present in person in support of your application.

Yours truly,

A handwritten signature, possibly "J. P. [unclear]", written in dark ink.

M. C. 1018.

Acting Chairman.

COMMISSIONERS.

HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
O. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M O R 1018

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 31, 1902.

Lovilla A. Holland,

Arlington, Oklahoma Territory.

Dear Madam:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Richard H. Vernon, et al., embracing the following applications for identification as Mississippi Choctaws:

Richard H. Vernon, et al.,	M. C. R.	157
Annie Payne, et al.,	M. C. R.	158
Charlie P. Vernon,	M. C. R.	164
Hettie E. Buchanan, et al.,	M. C. R.	375
James C. Kelley, et al.,	M. C. R.	377
James F. Vernon, et al.,	M. C. R.	378
Mary Stanfield, et al.,	M. C. R.	805
David G. Vernon, et al.,	M. C. R.	807
Christie Croan, et al.,	M. C. R.	808
Frank McDonough,	M. C. R.	809
Ida McDonough,	M. C. R.	810
Mary McDonough,	M. C. R.	811
John T. Vernon,	M. C. R.	812
George W. Vernon, et al.,	M. C. R.	813
William Stanfield,	M. C. R.	814
William L. Vernon, et al.,	M. C. R.	815
Sarah A. McDonough, et al.,	M. C. R.	876
John Frederick Halfacre, et al.,	M. C. R.	878
Mary M. Goodman, et al.,	M. C. R.	880
John B. Vernon, et al.,	M. C. R.	1003
Nancy A. McKinnon, et al.,	M. C. R.	1017
Lovilla A. Holland, et al.,	M. C. R.	1018
Oliver P. Vernon, et al.,	M. C. R.	1296
Elderage C. Vernon, et al.,	M. C. R.	1299
Charlie S. Vernon, et al.,	M. C. R.	1300
Francis M. Vernon, et al.,	M. C. R.	1362
Jefferson Vernon, et al.,	M. C. R.	1406
James M. Vernon, et al.,	M. C. R.	1480
Fannie F. Elliott,	M. C. R.	3571
Minous J. Elliott, et al.,	M. C. R.	3572
Knacy T. Elliott,	M. C. R.	3573
Charles M. Elliott, et al.,	M. C. R.	3574
James L. Elliott, et al.,	M. C. R.	3575

Walter J. Elliott,	M. C. R.	3576
Robert S. Elliott,	M. C. R.	3577
Martha A. Gibson, et al.,	M. C. R.	3578
Martha Jane Hughey, et al.,	M. C. R.	1301
Bertha M. Bryant, et al.,	M. C. R.	1444
Matilda E. Jefferson, et al.,	M. C. R.	4330
Maggie H. E. Holloway, et al.,	M. C. R.	5443

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Richard H. Vernon, Pearly May Vernon, Minnie Irene Vernon, Otha Ellen Vernon, Annie Payne, Virgil Payne, Walter Elbert Payne, Charlie P. Vernon, Hettie E. Buchanan, Charles H. Buchanan, Mary F. Buchanan, James Wm. Buchanan, Eddie E. Buchanan, Lucy A. Buchanan, Gracie E. Buchanan, James C. Kelley, Mary A. Kelley, Mattie L. Kelley, Andrew I. Kelley, Chaude G. Kelley, Howard A. Kelley, Johnnie B. Kelley, Steller V. Kelley, James F. Vernon, Myrtle A. Vernon, Benjamin B. Vernon, Willie B. Vernon, Maudie U. Vernon, Johnnie L. Vernon, Samuel A. Vernon, Mary Stanfield, James Stanfield, Luannie Stanfield, Alice Standfield, Frank Stanfield, David G. Vernon, Emma J. Vernon, John Yancy Vernon, Rob. C. Vernon, Samuel Henry Vernon, Lula May Vernon, Christie Croan, Edith Croan, Edward Croan, Stella Croan, Frank McDonough, Ida McDonough, Mary McDonough, John T. Vernon, George W. Vernon, Rhodie Parelee Vernon, Leurah Glades Vernon, William Stanfield, William L. Vernon, Mary E. Vernon, Nevada Edna Vernon, Willie B. V. Vernon, Lula B. Vernon, Roy G. Vernon, Sarah A. McDonough, Thomas Edwards McDonough, Perry Washington McDonough, John Frederick Halfacre, John Everett Halfacre, Charley Alonzo Halfacre, Solon Sylvester Halfacre, Frederick Audustus Halfacre, Thomas Edwin Halfacre, Rosa Lee Halfacre, Annie May Halfacre, Mary M. Goodman, Sudie Irene Goodman, Mary Cleveland Goodman, William Clyde Goodman, Noma Ethel Goodman, Gus Adolph Goodman, Maggie Jensey Goodman, John B. Vernon, Charlie H. Vernon, John J. Vernon, George Vernon, Bessie Vernon, Carl Vernon, Gladys Lillian Vernon, Nancy A. McKinnon, George P. McKinnon, David McKinnon, John C. McKinnon, James A. McKinnon, Newton G. McKinnon, Adelbert A. McKinnon, Lovilla A. Holland, Ernest Ray Holland, Elbert Clair Holland, Roy Cecil Holland, Oliver P. Vernon, Nancy Agnes Vernon, Exer C. Vernon, Odis C. Vernon, Elderage C. Vernon, William N. Vernon, Calla R. Vernon, Henry D. Vernon, Addie C. Vernon, Elderage C. Vernon, Charlie C. Vernon, Verdice E. Vernon, Charlie S. Vernon, Ernest Vernon, Amos Vernon, Florence Vernon, Francis M. Vernon, Ida B. Vernon, John M. Vernon, Nancy L. Vernon, Altie L. Vernon, Jefferson Vernon, Robert R. Vernon, Edna E. Vernon, Lydia E. Vernon, James M. Vernon, Eddie K. Vernon, James O. Vernon, Arthur B. Vernon, Maudie L. Vernon, Fannie F. Elliott, Minous J. Elliott, Callie Elliott, Knacy T. Elliott, Charles M. Elliott, Jessie C. Elliott, Thomas J. Elliott, Garnet A. Elliott, Charles M. Elliott, Jr., James L. Elliott, William H. Elliott, Walter J. Elliott, Robert S. Elliott, Martha A. Gibson, Paul E. Gibson, Nellie L. Gibson, Martha Jane Hughey,

James Nehemiah Hughey, Dora Hughey, Thomas Hughey, Lizzie Hughey, Clarence Hughey, Dewey Hughey, Charles M. Hughey, Bertha M. Bryant, Dollie M. Bryant, Matilda E. Jefferson, William Walter Jefferson, Clarence Virgill Jefferson, Jennie Grace Jefferson, Homer Vernon Jefferson, Maggie H. E. Holloway, Lucille Frances Holloway and Minnie Lee Holloway, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED),

John B. ...

Registered.

Acting Chairman.

M C R 1018

COPY.

Muskogee, Indian Territory, December 2, 1902.

Lovilla A. Holland,
Arlington, Oklahoma.

Dear Madam:

You are hereby notified that on the 11th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Richard H. Vernon, et al., of which decision you were duly advised by registered mail on the 31st day of May, 1902.

Respectfully,

(SIGNED)

Tame Bixby.
Acting Chairman.

M C R 1018

Muskogee, Indian Territory, April 3, 1903.

J. G. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st ultimo, enclosing the affidavit of the mother, Lovilla A. Holland, and that of the midwife, Nancy Shobert, relative to the birth of Maude and Claude Holland, infant children of George L. and Lovilla A. Holland, June 6, 1902, and the same are herewith returned for the reason that the Secretary of the Interior, on November 11, 1902 approved the decision of the Commission refusing the application made by Lovilla A. Holland for the identification of herself and minor children as Mississippi Choctaws.

Respectfully,

Commissioner in Charge.

McM 228

REFER IN REPLY TO THE FOLLOWING:

M.C.R. 1018.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 15, 1906.

Lovilla A. Holland,
Purcell, Indian Territory.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 5, 1906, denied the motion filed with this office by Albert J. Lee, attorney at law, Ardmore, Indian Territory, on June 23, 1906, for reconsideration of the consolidated Mississippi Choctaw case of Richard H. Vernon, et al.

Respectfully,


Commissioner.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. DRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M C R 1018

Muskogee, Indian Territory, December 2, 1902.

Lovilla A. Holland,
Arlington, Oklahoma.

Dear Madam:

You are hereby notified that on the 11th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Richard H. Vernon, et. al., of which decision you were duly advised by registered mail on the 31st day of May, 1902.

Respectfully,


Acting Chairman.

No. 1018

For Identification as a Mississippi Choctaw.

Date NOV -6 1900
Name Lovella A. Holland.
Age 23. Blood M.
Post Office, (Irvington, O. T.)
Father: David Mc. Kinnon - ✓
Mother: Nancy A. Mc. Kinnon - ✓
Claims through mother

HUSBAND:

George L. Holland 28.
(No claim for husband).

Children:

Ernest A. Holland 5.
Albert C. " " 2.
Roy C. " " 8 mo.

WITNESSES.

Levitta A. Holland et al

REFUSED

DECISION RENDERED.

NOV 11 1902

NOT ON

NOV 11 1902

NOV

NOV

NOV

NOV

51



8101 610M

Uncalled for

NOV 18 1901
R.P.O.

MUSKOGEE, IND.
OCT 18 730PM
1901

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Ind. Ter.

OFFICIAL BUSINESS.
Penalty for private use, \$300.



ARLINGTON
OCT 18 7AM
1901
OKLA

No other name than Named

Louella A. Holland

~~Fort Criss Springs, Oklahoma~~
~~Chickasaw nation, Indian Ter.~~

1018



MISSION TO THE FIVE CIVILIZED TRIBES.
FILED

JAN 2 1903

A handwritten signature in ink, likely of the Acting Chairman.

ACTING CHAIRMAN



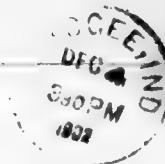
Department of the Interior.

Commissioner to the Five Civilized Tribes,

NEW ROGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Lovilla A. Holland,

Arlington, Oklahoma.



DEPARTMENT OF
Commissioner to the I. & C.

RECEIVED

Handwritten signature
Comptroller

DEC 19 1907

1018

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.



Lovilla A. Holland,

UNCLAIMED.

~~Purcell, Indian Territory~~

Choc. MCR 1019

Henry McMennamy

See MCR 1020

MCR 1019

Henry Mc Menamy

REFUSED

DECISION RENDERED. JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT

JUN 12 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS

RECORD FORWARDED DEPARTMENT

JUN 11 1902

ACTION APPROVED BY DEPARTMENT OF INTERIOR

JUL - 9 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

OCT 17 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR APPLICANT.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 17 1902

REFER TO M. C. R. 1020

Department of the Interior,
Commission to the Five Civilized Tribes,
M C R-1019 Muskogee, I. T. Nov. 7, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Henry McMennamy and his two minor children.
Henry McMennamy being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A Henry McMennamy.
Q What is your age? A My age is 52.
Q What is your post-office address? A Colbert, I. T.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory. A I
haven't been there but a short time.
Q How long? A I believe I come there the 20th of last
month.
Q The 20th of October this present year? A Yes sir.
Q Been there a li tle over two weeks then have you? A Yes
sir.
Q Is that the only residence you have ever had in the Indian
Territory? A Yes sir.
Q Where did you live prior to that time? A Texas.
Q How long did you live in Texas? A Raised there and lived
there all my life you might say.
Q Born in Texas? A Yes sir.
Q And lived there all your life until you removed to the
Indian Territory two weeks ago? A Yes sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A Isaac McMennamy.
Q Is he living? A No sir.
Q What is your mother's name? A Nancy McMennamy.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q How long has your father been dead? A He's been dead
about thirteen years.
Q Was his name ever on any of the tribal rolls of the Choctaw
Nation during his life time? A No sir, I don't think it were.
Q Was he ever recognized by the Choctaw tribal authorities
as a citizen of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of the citizens of the Choctaw Nation
in the possession of the Commission examined and
the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal
authorities of the Choctaw Nation by any official act of their
National Council as a citizen of the Choctaw Nation? A No sir.
Q Did you or any one in your behalf in 1896 make application
to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A No sir

Henry McMenamy 2

Record of applications made to this Commission in 1896, for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A I don't know anything about the treaties but the reason I claim rights is because my relations claim to be Choctaws.

Q You are making application for identification as a Mississippi Choctaw? A Yes sir.

Q Do you claim under the provisions of the 14th article of the treaty of 1830? A I don't know what the article is.

Q Do you claim under the provisions of the 14th article of the treaty of 1830? A I wouldn't hardly know what to answer.

Q The only authority vested in this Commission to hear and determine the rights of parties making application for identification as Mississippi Choctaws is contained in the 21st section of the act of Congress of June 28th, 1898, which provides "That said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the 14th article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." Do you make your claim as a beneficiary under the provisions of that article of that treaty?

A Yes sir.

Q What is the 14th article of the treaty of 1830? A That is the question I couldn't answer.

Q Why do you make a claim under that? A I don't know any9 thing about that.

Q How does it affect your rights? A I don't know anything about that.

Q What is your claim for identification as a Mississippi Choctaw? A I don't understand that.

Q What is the basis of your claim? A Because my relations claimed to be Choctaw Indians.

Q Why have you not been recognized by the Choctaw tribal authorities? A I have never made any application I reckon is why sir.

Q You have never been a resident of the Indian Territory?

A Not long.

Q And you have never complied with the ~~requirements~~ requirements of citizens of the Choctaw Nation? A No sir, never have.

Q The time for making original applications for citizenship in the Choctaw Nation expired on the 10th of September, 1896, four years ago. A Uhuh.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I don't know whether they did or not.

Q What was the name of your ancestor who resided in Mississ-

Henry McMenamy 3

ippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A Andrew Ward.

Q Have you any evidence showing that Andrew Ward was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I don't know that he was recognized or not but he was the one that I was related to.

Q Have you any evidence showing that he was a Choctaw Indian?

A I have been taught that.

Q Have you any evidence? A I have affidavits.

Q Affidavits of whom? A Of some parties.

Q Witnesses to what, that he was a Choctaw Indian in Mississippi and recognized as such in 1830? A That he was a Mississippi Indian.

Q Was he a recognized member of the Choctaw tribe of Indians?

A I don't know.

Q What relation was Andrew Ward to you? A My great grand father.

Q Have you any evidence showing that you are a direct lineal descendant of Andrew Ward? A I can prove it by what I have been told.

Q What you have been told doesn't amount to anything. We want absolute proof of the fact. A I have affidavits.

Q All right, affidavits of whom? A Affidavits of witnesses.

Q Witnesses to what? A They are just witnesses stating that he was my relation.

Q Well, you can state that can't you? A Yes sir.

Q Can they state any more about it than you can? A They are older and can state a little more about it I reckon.

Q When did Andrew Ward leave Mississippi? A I don't know.

Q Do you know anything about his residence in Mississippi?

A No sir.

Q Know anything about his being recognized as a Choctaw Indian in Mississippi? A I don't know.

Q Did any of your ancestors through whom you might claim this right to identification ever claim or receive any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, not that I know of.

Q What do you know about your ancestors residence in Mississippi? A I don't know a thing about it myself.

Q What is the basis of your claim then? A Well, there is just this about it. I have been informed that all Choctaw Indians have a right in the Indian Territory to hold.

Q Can you prove that you are a Choctaw Indian? A I think I can.

Q How? A By affidavits, by witnesses.

Q Witnesses to what? A What do you want to know, that I am a Choctaw Indian?

Q No sir that you are entitled to be identified as a Mississippi Choctaw. You have said you have never been enrolled or recognized by the Choctaw tribal authorities. A No sir, I want to be enrolled now.

Q You will have to show compliance with the provisions of the 14th article of the treaty of 1830. A I don't know anything about that.

Q Well, I will read it to you. The treaty was made in 1830 between the United States and the Choctaw Indians and provided for the removal of Choctaw Indians from Mississippi to the country which was given them west of the Mississippi River and which is now the Indian Territory.

"Each Choctaw head of a family, being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent, within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty

Henry McMennamy 4

acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to each child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to "any portion of the Choctaw annuity."

Q Are you making your claim under the provisions of that article of that treaty? A Yes sir.

Q Can you show compliance with that provision of that treaty by any of your ancestors? A That they have complied with the treaty?

Q Yes. A I don't ~~think~~ know that I can.

Q Do you make any claim under any other provisions of the treaties entered into between the United States and the Choctaw Indians? A That was my claim that I applied for as a Mississippi Choctaw.

Q Do you make any claim by reason of any other treaty stipulations between the United States and the Choctaw tribe of Indians? A I don't know how to answer.

Q You could say yes or no couldn't you? A I would say no because I don't know how else to go at it.

Q Are you married? A Yes sir.

Q What is your wife's name? A Martha McMennamy.

Q Making any claim for her? A No sir.

Q Is she a white woman? A Yes sir.

Q How old is she? A She's 46.

Q Where did you marry her? A In Grayson County, Texas.

Q When? A Married in 1874.

Q Married to her in accordance with the laws of the state of Texas? A Yes sir.

Q Have you your marriage license and certificate? A Yes sir.

Q Have you them with you? A Yes sir.

Q Have you any children? A Yes sir.

Q What are the names and ages of your children under twenty one and unmarried? A Nettie McMennamy, 20.

Q All right, sir. A Ardie McMennamy, 16.

Q Is that all? A Yes sir, that's all under age.

Q You are the father of these two children? A Yes sir.

Q Martha McMennamy is the mother of them? A Yes sir.

Q These children both live with you at your home? A Yes sir.

Q You have the custody of these children? A Yes sir.

Q You and your wife living together? A Yes sir.

Q Is there any additional statement you desire to make in support of your application? A No sir, I believe not.

Q Any written evidence you desire to offer the Commission for consideration in support of your application? A Yes sir.

There is offered in evidence a certified copy of the marriage license and certificate between W. M. McMennamy and M. A. Fields offered in evidence, marked exhibit A, filed and made a part of the records in this case.

Q Is the W. M. McMennamy who was married to M. A. Fields, is that your name? A W. H. is my name.

Q Are you the identical party given in this marriage certificate as W. M. McMennamy? A Yes sir.

Also the original application and petition of W. H. McMennamy and the affidavits of Jeremiah Mc

Henry McMenamy 5

McMenamy, Sarah Jones, W. L. Martin and C. M. Whittle, filed and made a part of the records in this case.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be forwarded to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 7th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young,

Subscribed and sworn to before me this 7th day of November, 1900.

Guy L. Emerson
Notary Public.

COPY.

M.C.R. 1019.

Muskogee, Indian Territory June 21, 1902.

Henry McMenamy,

Colbert, Indian Territory.

Dear Sir:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Frank McMenamy, et al., embracing the following applications for identification as Mississippi Choctaws:

Frank McMenamy, et al.,	M.C.R. 1020
Frank L. McMenamy, et al.,	M.C.R. 1566
John McMenamy,	M.C.R. 951
Henry McMenamy, et al.,	M.C.R. 1019
Montie Harmon, et al.,	M.C.R. 1021
Allie Harmon, et al.,	M.C.R. 1312
Mattie Parker, et al.,	M.C.R. 947
George Stephens,	M.C.R. 953
Marshall Leonard,	M.C.R. 949
James Leonard,	M.C.R. 950
George McMenamy (McMenamy)	M.C.R. 942
John D. McMenamy, et al.,	M.C.R. 1022
Josephine Stephens, et al.,	M.C.R. 943
James McMenamy,	M.C.R. 945.

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

H. M. #2

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMenamy, James Melvin McMenamy, Nora McMenamy, Beulah McMenamy, Mack McMenamy, Frank L. McMenamy, Florence McMenamy, Weaver McMenamy, Rayallie McMenamy, John McMenamy, Henry McMenamy, Hettie McMenamy, Artie McMenamy, Montie Harmon, Earnest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McMenamy (McMenamy), John D. McMenamy, Oscar Ray McMenamy, Una May McMenamy, Dorris G. McMenamy, Thomas Dowell McMenamy, Tressie McMenamy, Orval McMenamy, Carl McMenamy, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McMenamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

T. B. Needles.

Registered.

Commissioner in Charge.

M. C. R. 1019.

Muskogee, Indian Territory, October 17, 1902.

Henry McMennamy,

Colbert, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMennamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

(S)

James L. Diney.
Acting Chairman.

No. **1019**

For Identification as a Mississippi Choctaw.

Date **NOV -7 1900**

Name *Henry Mc. Mennamy.*

Age *52.* Blood *1/8*

Post Office, *Colbert, A. T.*

Father: *Isaac Mc. Mennamy dead*

Mother: *Nancy Mc. Mennamy dead*

Claims through *father.*

WIFE: *Martha Mc. Mennamy.*
(No claim for land.)

Children:

Nellie Mc. Mennamy 20.

Artie Mc. Mennamy 16.

Choc. MCR 1020

Frank McMennamy

See MCR 1566, 951, 1019, 1021,
1312, 947, 953, 949, 950, 942,
1022, 943, 945

MCR 1020

Frank McManamy

REFUSED

DECISION RENDERED. JUN 10 1902

NOTICE OF DECISION TO APPLICANTS.

JUN 21 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

NOTICE OF DECISION FORWARDED
ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

RECORD FORWARDED DEPARTMENT.

ACTING SECRETARY OF THE INTERIOR

JUN 10 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY.

JUN 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANTS.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUN 11 1902

REFER TO M. O. R. 1566-951-1019-1021-
1312-947-953-949-950-942-1022-
943-945--

M. C. R-1020.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.
November 7th., 1900.

In the matter of the application for identification as
Mississippi Choctaws of Frank McMennamy and his four minor children.
Frank McMennamy being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A Frank McMennamy.
Q What is your age? A Fifty five.
Q What is your post-office address? A Colbert.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A Come here the 19th or
20th one.
Q 19th or 20th of what? A October.
Q What year? A This year.
Q Only been here about two weeks? A Yes sir.
Q Is that the only residence you have had in the Indian
Territory? A Yes sir.
Q Where did you live before you came to the Indian Territory?
A Texas.
Q How long did you live there? A All my life.
Q Born there? A Yes sir.
Q Lived there all your life until the time you came to the
Indian Territory? A Yes sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A Isaac McMennamy.
Q Is your father living? A No sir.
Q Dead. A Yes sir.
Q What is your mother's name? A Nancy McMennamy.
Q Is your mother living? A No sir, she's dead too.
Q Through which one of your parents do you claim your
Choctaw blood? A My father.
Q How long has your father been dead? A Nearly thirteen
years.
Q Was his name on any of the tribal rolls of the Choctaw Na-
tion? A I don't think it was. If it was I never knowed it.
Q Have you any reason to believe it was? A No sir.
Q Where did your father live? A Texas.
Q When did he come to Texas? A Thirty nine I believe.
Q Where did he come from? A From Illinois.
Q How long had he been living in Illinois? A I could not
tell you sir.
Q About how long? A It seems to me I heard him say he
lived in Illinois thirteen years. I am not sure.
Q He lived there from 1826 to 1839 then? A He left there in
'39.
Q Do you know where he lived before that? A He came from
Tennessee to Illinois.
Q Do you know where he was born? A In Rutherford County,
Tennessee I believe.
Q About how old would your father be if he was living? A
Well, he would be right at eighty years old, 79 or 80 just guessing
at it.
Q Then he would have been born in Tennessee about 1820
wouldn't he? A Yes sir, I reckon so.
Q And his parents would have been living in Tennessee in
1820? A Yes sir I reckon so.
Q And went from there to Illinois? A Yes sir.
Q And your father lived there until he went to Texas? A Yes

Frank McMenemy 2
sir.

Q And you were born in Texas? A Yes sir.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, not until now.

Q This is not the Choctaw tribal authorities. Did you ever make application to them? A No sir.

Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of that Nation? A No sir, I guess not.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of June 22 10th, 1896? A Not that I know of.

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Q You know whether you made application or not don't you?

Q I thought you asked me if they made it under that act.

Q Did you or did you authorize any one to make application in 1896 to this Commission for citizenship in the Choctaw Nation under the act of June 10th, 1896? A No sir. I didn't understand you exactly.

Q Have you ever been admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by the United States Courts examined and the name of the applicant does not appear thereon

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A I could not tell you anything about the treaties. The only reason I make application is just what I have been taught by my parents ahead of me.

Q Are you making your claim as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I could not answer that question and say whether I was or was not for I don't know anything about the treaties, sir.

Q The only authority vested in this Commission to hear and determine the rights of parties as Mississippi Choctaws, is contained in the act of Congress of June 28th, 1898, which provides: "Said Commission shall have authority to determine the rights of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." A Yes sir.

Q Do you make your claim under that provision of that treaty?

A Well, I suppose it would be.

Frank McMennamy 3

Q Do you or do you not? A I will have to say I don't know, sir.

Q If you do not claim under that provision of that treaty this Commission has no authority to hear or determine your application. A Well, I wouldn't know just exactly how to answer the question and stick right to the truth, friend.

Q That is the only authority vested in this Commission to hear applications for identification as Mississippi Choctaws. A Well, I would have to reckon whether I know anything about it or not.

Q Do you make your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Well, I will say yes sir and risk it. I don't want to misrepresent anything.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q Do you know the provisions of the 14th article of the treaty of 1830? A No sir.

Q Have you ever read it? A No sir.

Q Ever had it read to you? A No sir.

Q Any one ever explain it to you? A No sir.

Q Do you know anything about it? A Not a thing in the world, sir.

Q I will read it to you. This was entered intomin 1830 between the United States and the Choctaw Indians and the treaty provided for the removal of the Choctaw Indians from Mississippi to the Indian Territory or what is now the Indian territory. Some of them didn't want to come so this provision was put in that treaty. A Well I didn't know that even.

Q "Each Choctaw head of a family, being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent, within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to each child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw Annuity." Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A If they did I don't know it, sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of the Choctaw tribe of Indians? A Andrew Ward.

Q What relation was Andrew Ward to you? A My great grand father.

Q When did he die? A I could not tell you a word about that sir, I never saw the man in my life.

Q Have you any evidence showing that Andrew Ward was a recognized member of the Choctaw tribe of Indians? A I have some papers

Q Do they show that Andrew Ward was a recognized member of the Choctaw tribe of Indians? A I think they do, sir.

Q How? A By witnesses.

Q Witnesses to what? A That he was a Choctaw.

Q How was he a Choctaw? A I couldn't answer that to give you a satisfactory answer.

Q You have heard the 14th article of the treaty of 1830 read to you? A Yes sir.

Q You have testified your father was born in Tennessee in 1830

Frank McMenamy 4

A Yes sir.

Q Now this treaty was never made until ten years after that. You claim your right through your father? A Yes sir.

Q Neither you nor your father have resided in the Choctaw Nation since 1820? A No sir.

Q You claim your right by reason of a treaty made ten years after your father was born in Tennessee? A I suppose so.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the 14th article of the treaty of 1830? A I don't know, sir.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Laura.

Q Making any claim for your wife? A No sir.

Q How old is she? A 49 years old.

Q Is she a white woman? A Yes sir.

Q Where did you marry her? A Texas.

Q When? A 1868.

Q Married to her under the laws of the state of Texas?

A Yes sir.

Q Have you your marriage license and certificate? A Yes sir.

Q Got them with you? A Yes sir.

Q Have you any children? A Yes sir.

Q What are the names and ages of your unmarried children under 21 years of age? A James Melvin.

Q How old? A 19.

Q The next one? A Nora.

Q How old is Nora? A 16.

Q The next one? A Beulah.

Q All right. A She is 14.

Q The next one? A Mack, just Mack.

Q Not McKinley? A Yes sir, McMenamy.

Q What is his age? A Five.

Q You are the father of these four children? A Yes sir.

Q Laura McMenamy is the mother? A Yes sir.

Q These children all live with you at your home? A Yes sir.

Q You and your wife live together? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A I reckon not, sir, that I know of.

Q Have you any written evidence that you desire to offer the Commission for its consideration in support of your application?

A Yes sir, I have some papers here.

Q Do you know C. M. Whittle? A No sir.

Q You offer in evidence here an affidavit of C. M. Whittle as to his acquaintance with the members of the Ward family. He states that he knew Pamela Ward who married John McMenamy? A Yes sir.

Q Who was Pamela Ward? A She was my grand mother.

Q You testified that your father was born in Tennessee in 1820 - about that time. A Yes sir, about that time.

Q Was he a son of Pamela Ward? A Yes sir.

Q And Pamela Ward with her family moved from Tennessee to Illinois? A Yes sir that is my understanding.

Q And she removed from there to where? A Texas.

Q Where did she live there? A Fannin County, Texas.

Q Then from 1820 until her death she never resided in Mississippi? A No sir.

Q You have full knowledge of her movements since your father's birth? A I have been told.

Q You never heard that she lived in Mississippi? A No sir.

Q Do you know anything of Will, John, Lewis Turner Ward? A No sir, I would say I don't. I seen one Ward once that they called John but I was small and I just recollect them calling him John. That is all I know about him.

There is offered in evidence the original application and petition of J. F. McMenamy, and the affidavits

Frank McMennamy 5

of Jeremiah McMennamy, Sarah Jones, W. L. Martin and C. W. Whittle, and a certified copy of the marriage license and certificate under the laws of the state of Texas between J. F. McMennamy and Laura W. McAdam and the same is hereby filed and made a part of the records in this case.

The decision of the Commission as to your application and the application you make on behalf of your four minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 7th day of ~~October~~ November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 8th day of November, 1900.

Gray L. Emerson
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Mr.
C. v. W.

In the matter of the application of Frank McMennamy,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

Frank McMennamy, et al.....	M.C.R.	1020
Frank L. McMennamy, et al.....	M.C.R.	1506
John McMennamy.....	M.C.R.	951
Henry McMennamy, et al.....	M.C.R.	1019
Montie Harmon, et al.....	M.C.R.	1021
Allie Harmon, et al.....	M.C.R.	1512
Mattie Parker, et al.....	M.C.R.	947
George Stephens.....	M.C.R.	953
Marshal Leonard.....	M.C.R.	949
Isaac Leonard.....	M.C.R.	950
George McMennamy (McMennamy).....	M.C.R.	942
John D. McMennamy, et al.....	M.C.R.	1022
Josephine Stephens, et al.....	M.C.R.	943
James McMennamy.....	M.C.R.	945.

--: D E C I S I O N :--

It appears from the record herein that applications
for identification as Mississippi Choctaws were made to this Commis-
sion, by Frank McMennamy, for himself and his four minor children,
James Melvin, Nora, Beulah and Mack McMennamy; by Frank L. McMennamy

(2)

for himself and his three minor children, Florence, Weaver, and Ray-
allie McMennary; by John McMennary for himself; by Henry McMennary
for himself and his two minor children, Wattle and Artie McMennary;
by Montie Harmon for herself and her minor child, Earnest Harmon; by
Allie Harmon for herself and her minor child, Ola Harmon; by Mattie
Parker for herself and her two minor children, Myrtle and Willie
Fleet; by George Stephens for himself; by Marshal Leonard for him-
self; by Isaac Leonard, for himself; by George McMennary (McMenna-
my), for himself; by John D. McMennary for himself and his seven
minor children, Oscar Ray, Una May, Dorris G., Thomas Dowell, Tres-
sie, Orval and Carl McMennary; by Josephine Stephens for herself and
her five minor children, Joanna, Luther, Dellar, Pleasant and Ethel
Stephens; and by James McMennary for himself under the following
provision of the act of Congress approved June 28, 1896, (30 Stats.,
495):

"Said Commission shall have authority to determine
the identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the
United States and the Choctaw Nation, concluded September
twenty-seventh, eighteen hundred and thirty, and to that
end may administer oaths, examine witnesses and perform
all other acts necessary thereto and make report to the
Secretary of the Interior."

It also appears that all of said applicants claim
rights in the Choctaw lands under article fourteen of the treaty be-
tween the United States and the Choctaw Nation, concluded September
twenty-seventh, eighteen hundred and thirty, by reason of being de-
scendants of one Andrew Ward, who is alleged to have been a fullblood
Choctaw Indian, and to have resided in the old Choctaw Nation in Mis-
sissippi and Alabama in eighteen hundred and thirty.

It further appears from the evidence submitted in sup-
port of said applications, and from the records in the possession of

(3).

the Commission that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of these applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Andrew Ward, or any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180) and August 23, 1842, (5 Stats., 513).

It further appears from the evidence offered in support of the applications herein, that less remote ancestors than Andrew Ward of all of the applicants were living in 1830, to-wit: Isaac McMennamy and Jeremiah McMennamy, grandchildren of the said Andrew Ward. Hence, in order that any applicant herein may be identified as a "Mississippi Choctaw" it is incumbent upon that applicant to show upon the part of the particular grandchild of said Andrew Ward from whom applicant is descended, compliance or attempted compliance with the provisions of article fourteen of the "Treaty of Dancing Rabbit Creek." It does not appear, however, from the testimony and evidence offered in support of said applications, or from

(4).

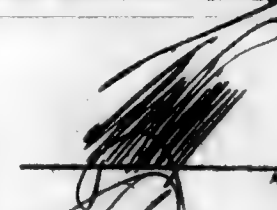
the records in the possession of the Commission relating to those persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that either Isaac McMennamy or Jeremiah McMennamy signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180), and August 23, 1842 (5 Stats., 513).

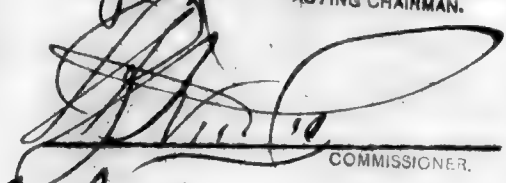
It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMennamy, James Melvin McMennamy, Nora McMennamy, Beulah McMennamy, Mack McMennamy, Frank L. McMennamy, Florence McMennamy, Weaver McMennamy, Rayallie McMennamy, John McMennamy, Henry McMennamy, Nettie McMennamy, Artie McMennamy, Montie Harmon, Earnest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McMennamy (McMennamy), John D. McMennamy, Oscar Ray McMennamy, Una May McMennamy, Dorris G. McMennamy, Thomas Dowell McMennamy, Treasie McMennamy, Orval McMennamy, Carl McMennamy, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McMennamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen

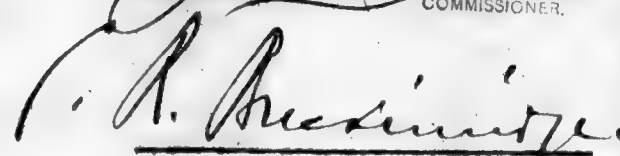
(8).

of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



ACTING CHAIRMAN.


COMMISSIONER.


COMMISSIONER.

Muskogee, Indian Territory,

JUN 10 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----|-----

In the matter of the application of Frank McMennamy,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

Frank McMennamy, et al.....	M.C.R. 1020
Frank L. McMennamy, et al.....	M.C.R. 1566
John McMennamy.....	M.C.R. 951
Henry McMennamy, et al.....	M.C.R. 1019
Montie Harmon, et al.....	M.C.R. 1021
Allie Harmon, et al.....	M.C.R. 1312
Mattie Parker, et al.....	M.C.R. 947
George Stephens.....	M.C.R. 953
Marshal Leonard.....	M.C.R. 949
Isaac Leonard.....	M.C.R. 950
George McMennamy (McMenamy).....	M.C.R. 942
John D. McMennamy, et al.....	M.C.R. 1022
Josephine Stephens, et al.....	M.C.R. 943
James McMennamy.....	M.C.R. 945.

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
Frank McMennamy, et al.

Original application of Frank McMennamy, et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	1
Written petition of J. F. McMennamy.....	6
Affidavit of Jeremiah McMennamy.....	7
Affidavit of Sarah Jones.....	8

(2).

Affidavit of W. L. Martin.....	9
Certified copy of the marriage record of J. F. McMennamy and Laura W. Holdams.....	10
Affidavit of C. M. Whittle.....	11
Original application of Frank L. McMennamy et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	12
Written petition of F. L. McMennamy.....	16
Affidavit of C. M. Whittle.....	16
Affidavit of Jeremiah McMenemy.....	17
Affidavit of Sarah Jones.....	18
Affidavit of W. L. Martin.....	19
Marriage license and certificate of F. L. McMennamy and Lousetta Fields.....	20
Original application of John McMennamy, et al., to the Dawes Commission for identifi- cation as Mississippi Choctaws.....	21
Written petition of John McMennamy.....	23
Affidavit of Jeremiah McMenemy.....	24
Affidavit of Sarah Jones.....	25
Affidavit of W. L. Martin.....	26
Affidavit of C. M. Whittle.....	27
Original application of Henry McMennamy et al., to the Dawes Commission for iden- tification as Mississippi Choctaws.....	28
Written petition of W. H. McMennamy.....	33
Affidavit of Jeremiah McMenemy.....	34
Affidavit of Sarah Jones.....	35
Affidavit of W. L. Martin.....	36
Affidavit of C. M. Whittle.....	37
Certified copy of the marriage record of W. M. McMenemy and M. A. Fields.....	38
Original application of Montie Harmon, et al., to the Dawes Commission for identifi- cation as Mississippi Choctaws.....	39

(3).

Written petition of Montie Harmon.....	43
Affidavit of Jeremiah McMenemy.....	44
Affidavit of Sarah Jones.....	45
Affidavit of W. L. Martin.....	46
Affidavit of C. M. Whittle.....	47
Certified copy of the marriage record of Jesse Harmon and Montie McMenamy.....	48
Original application of Allie Harmon, et al., to the Dawes Commission for identifi- cation as Mississippi Choctaws.....	49
Written petition of Allie Harmon.....	52
Affidavit of Jeremiah McMenemy.....	53
Affidavit of Sarah Jones.....	54
Affidavit of W. L. Martin.....	55
Affidavit of C. M. Whittle.....	56
Certified copy of the marriage record of James Harmon and Allie McMinamy.....	57
Original application of Mattie Parker, et al., to the Dawes Commission for identifi- cation as Mississippi Choctaws.....	58
Written petition of Mattie Parker.....	61
Affidavit of Jeremiah McMenemy.....	62
Affidavit of Sarah Jones.....	63
Affidavit of W. L. Martin.....	64
Affidavit of C. M. Whittle.....	65
Marriage record of W. H. Parker and Mattie E. Fleet.....	66
Original application of George Stephens to the Dawes Commission for identifica- tion as a Mississippi Choctaw.....	67
Written petition of George Stephens.....	69
Affidavit of Jeremiah McMenemy.....	70
Affidavit of Sarah Jones.....	71

(4).

Affidavit of W. L. Martin.....	72
Affidavit of C. M. Whittle.....	73
Original application of Marshal Leonard to the Dawes Commission for identification as a Mississippi Choctaw.....	74
Written petition of Marshal Leonard.....	76
Affidavit of Jeremiah McMenemy.....	77
Affidavit of Sarah Jones.....	78
Affidavit of W. L. Martin.....	79
Affidavit of C. M. Whittle.....	80
Original application of Isaac Leonard to the Dawes Commission for identification as a Mississippi Choctaw.....	81
Written petition of Isaac Leonard.....	83
Affidavit of Jeremoah McMenemy.....	84
Affidavit of Sarah Jones.....	85
Affidavit of W. L. Martin.....	86
Affidavit of C. M. Whittle.....	87
Original application of George McMennamy (McMenamy) to the Dawes Commission for identification as a Mississippi Choctaw.....	88
Written petition of George McMennamy.....	90
Affidavit of Jeremiah McMenemy.....	91
Affidavit of Sarah Jones.....	92
Affidavit of W. L. Martin.....	93
Affidavit of C. M. Whittle.....	94
Original application of John D. McMennamy et al., to the Dawes Commission for identi- fication as Mississippi Choctaws.....	95
Memorandum slip.....	99
Written petition of J. D. McMennamy.....	100
Affidavit of Jeremiah McMenemy.....	101
Affidavit of Sarah Jones.....	102

(5).

Affidavit of C. M. Whittle.....	103
Affidavit of W. L. Martin.....	104
Certified copy of the marriage record of J. D. McMennamy and Laura Culber.....	105
Original application of Josephine Stephens et al., to the Dawes Commission for identi- fication as Mississippi Choctaws.....	106
Written petition of Josie Stephens.....	108
Affidavit of Jeremiah McMennamy.....	110
Affidavit of Sarah Jones.....	111
Affidavit of W. L. Martin.....	112
Certified copy of the marriage record of A. D. Stephens and Josie McMennamy.....	113.
Affidavit of C. M. Whittle.....	114
Original application of James McMennamy to the Dawes Commission for identifica- tion as a Mississippi Choctaw.....	115
Written petition of J. S. McMennamy.....	117
Affidavit of Jeremiah McMennamy.....	118
Affidavit of Sarah Jones.....	119
Affidavit of W. L. Martin.....	120
Affidavit of C. M. Whittle.....	121
Decision of the Commission denying the ap- plications of Frank McMennamy, et al., Frank L. McMennamy, et al., John McMennamy, Henry McMennamy, et al., Montie Harmon, et al., Allie Harmon, et al., Mattie Parker, et al., George Stephens, Marshal Leonard, Isaac Leonard, George McMennamy (McMenna- my), John D. McMennamy, et al., Josephine Stephens, et al., and James McMennamy for identification as Mississippi Choctaws.....	122

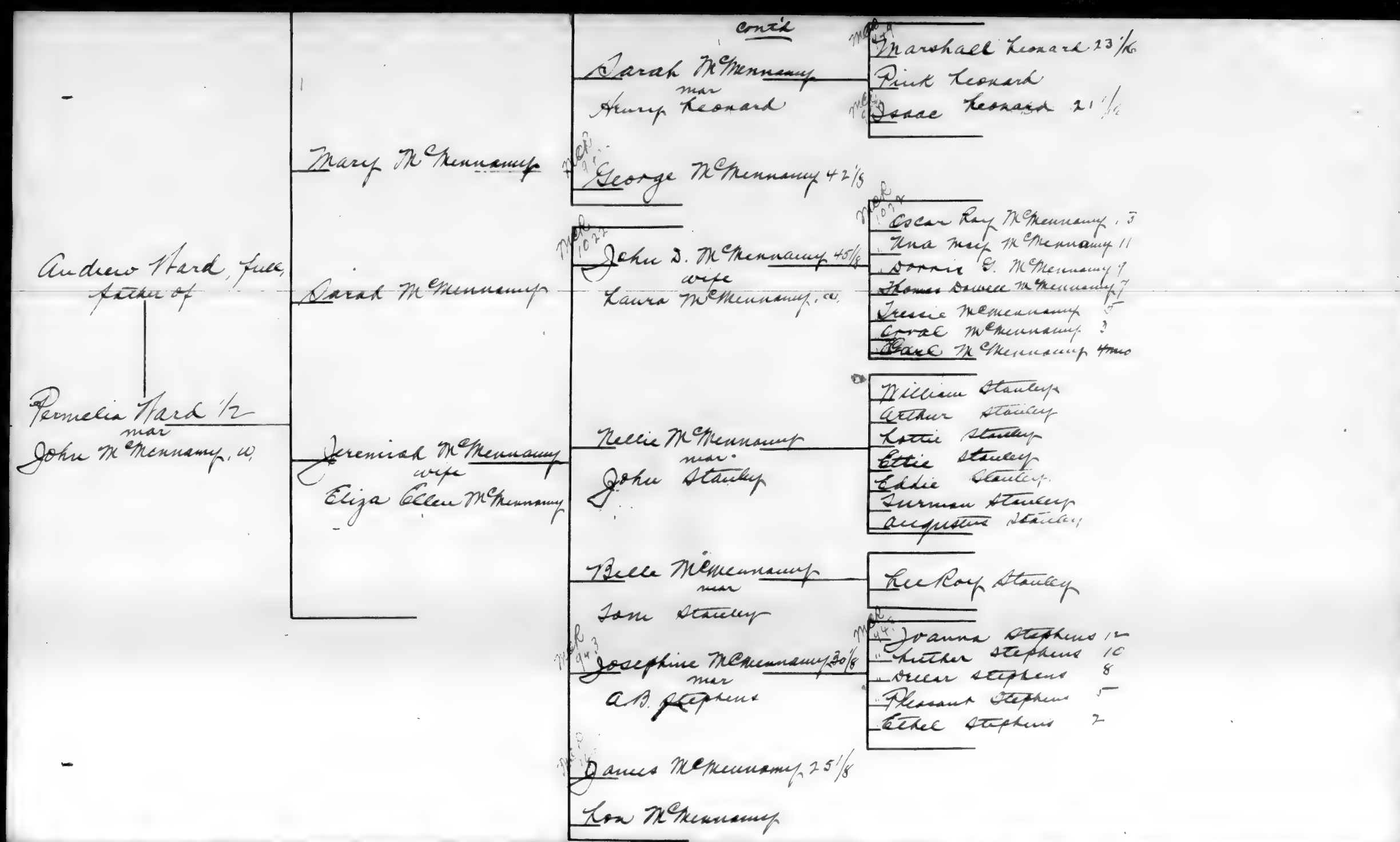
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REFER TO M. C. R. 1020

Frank M. Kennamys
et al

Consolidated Case

<p>Andrew Hard, free, father of</p> <p>Permelia Hard, 12 mar</p> <p>John M McMennamp, white</p>	<p>Isaac McMennamp 1/2 wife</p> <p>Henef McMennamp</p> <p>John McMennamp</p> <p>William McMennamp</p> <p>Marshall McMennamp</p>	<p>Frank McMennamp 55 1/8 wife</p> <p>Laura McMennamp 49</p> <p>Henry McMennamp 52 1/6 wife</p> <p>Martha McMennamp, w.</p> <p>Mary McMennamp mar.</p> <p>John Stephens</p>	<p>Frank L. McMennamp 16 wife</p> <p>Lousetta McMennamp</p> <p>Permelia McMennamp 18</p> <p>Isaac McMennamp 26</p> <p>John McMennamp 23 1/6</p> <p>James M. McMennamp 19</p> <p>Nora McMennamp 16</p> <p>Berula McMennamp 14</p> <p>Maek McMennamp 1</p> <p>Montie McMennamp 24 1/6 mar.</p> <p>Jesse Harmon, w.</p> <p>Allie McMennamp 22 1/6 mar.</p> <p>Jim Harmon w.</p> <p>Nettie McMennamp 20</p> <p>Virginia McMennamp 18</p> <p>Artie McMennamp 16</p> <p>Mattie Stephens 30 1/6 mar.</p> <p>1st Will Fleet, dead,</p> <p>2nd Will Parker, 1</p> <p>George Stephens, 21 1/6</p> <p>Mary Stephens</p> <p>Archie Stephens</p> <p>Emma Stephens</p> <p>Edward Stephens</p>	<p>Florence McMennamp 5</p> <p>Deaver McMennamp 3</p> <p>Kayallie McMennamp 1</p> <p>Earnest Harmon 1</p> <p>Ola Harmon 2 mo.</p> <p>Myrtle Fleet 13</p> <p>Willie Fleet 10</p>
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COPY.

M.C.R. 1020

Muskogee, Indian Territory, June 21, 1902.

Frank McMennamy,

Golbert, Indian Territory.

Dear Sir:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Frank McMennamy, et al., embracing the following applications for identification as Mississippi Choctaws:

Frank McMennamy, et al.,	M.C.R. 1020
Frank L. McMennamy, et al.,	M.C.R. 1566
John McMennamy,	M.C.R. 951
Henry McMennamy, et al.,	M.C.R. 1019
Montie Harmon, et al.,	M.C.R. 1021
Allie Harmon, et al.,	M.C.R. 1312
Mattie Parker, et al.,	M.C.R. 947
George Stephens,	M.C.R. 958
Marshal Leonard,	M.C.R. 949
Isaac Leonard,	M.C.R. 950
George McMennamy (McMennamy)	M.C.R. 942
John D. McMennamy, et al.,	M.C.R. 1022
Josephine Stephens, et al.,	M.C.R. 943
James McMennamy	M.C.R. 945

These applications were made under the provision of the act of Congress of June 25, 1898 (30 Stat. 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Frank McMenamy-----2

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMenamy, James Melvin McMenamy, Vera McMenamy, Beulah McMenamy, Mack McMenamy, Frank L. McMenamy, Florence McMenamy, Weaver McMenamy, Rayallie McMenamy, John McMenamy, Henry McMenamy, Nettie McMenamy, Artie McMenamy, Montie Harmon, Earnest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McMenamy (McMenamy), John D. McMenamy, Oscar Ray McMenamy, Una May McMenamy, Derris G. McMenamy, Thomas Dowell McMenamy, Tressie McMenamy, Orval McMenamy, Carl McMenamy, Josephine Stephens, Jessma Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McMenamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *I. B. Woodin.*

Registered.

Commissioner in Charge.

COPY.

M.C.R. 1020.

Muskogee, Indian Territory June 21, 1907.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the consolidated case of Frank McKennany, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of June 10th 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Frank McKennany, et al.,	M.C.R.	1020
Frank L. McKennany, et al.,	M.C.R.	1066
John McKennany,	M.C.R.	951
Henry McKennany, et al.,	M.C.R.	1019
Montie Harmon, et al.,	M.C.R.	1021
Allie Harmon, et al.,	M.C.R.	1312
Mattie Parker, et al.,	M.C.R.	947
George Stephens,	M.C.R.	933
Marshall Leonard,	M.C.R.	949
Isaac Leonard,	M.C.R.	950
George McKennany (McKennany)	M.C.R.	942
John D. McKennany, et al.,	M.C.R.	1022
Josephine Stephens, et al.,	M.C.R.	943
James McKennany,	M.C.R.	945.

The Commission has the honor to report that the principal applicants in the several separate applications, their attorneys of record and the attorneys for the Choctaw and Chickasaw Nation have

#2

been duly advised by letter of the action of the Commission, copies
of said letters being attached to the record.

Respectfully,

(SIGNED)

T. B. Needles

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.
1 enclosure.

COPY.

M.C.R. 1020.

Muskogee, Indian Territory June 21, 1902.

Messrs. Mansfield, McMurray & Cornish,
Attorneys, for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:-

You are hereby advised that on the 10th day of June 1902,
the Commission to the Five Civilized Tribes rendered a decision in
the consolidated Case of Frank McMennamy, et al., embracing the
following applications for identification as Mississippi Choctaws:

Frank McMennamy, et al.,	M.C.R.	1020
Frank L. McMennamy, et al.,	M.C.R.	1566
John McMennamy,	M.C.R.	981
Henry McMennamy, et al.,	M.C.R.	1019
Montie Harmon, et al.,	M.C.R.	1071
Allie Harmon, et al.,	M.C.R.	1312
Mattie Parker, et al.,	M.C.R.	947
George Stephens,	M.C.R.	953
Marshall Leonard,	M.C.R.	949
Isaac Leonard,	M.C.R.	950
George McMennamy (McMennamy)	M.C.R.	942
John D. McMennamy, et al.,	M.C.R.	1022
Josephine Stephens, et al.,	M.C.R.	943
James McMennamy,	M.C.R.	945.

These applications were made under the provision of the act
of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw lands
under article fourteen of the treaty between the United States and
the Choctaw Nation, concluded September twenty-seventh, eighteen
hundred and thirty, and to that end may administer oaths, examine
witnesses and perform all other acts necessary thereto and make

report to the Secretary of the Interior."

N. W. & O. #2

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McKennany, James Melvin McKennany, Nora McKennany, Beulah McKennany, Mack McKennany, Frank L. McKennany, Florence McKennany, Weaver McKennany, Rayulie McKennany, John McKennany, Henry McKennany, Nettie McKennany, Artie McKennany, Montie Harmon, Earnest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McKennany (McKennany), John D. McKennany, Oscar Ray McKennany, Una May McKennany, Dorris G. McKennany, Thomas Howell McKennany, Tressie McKennany, Orval McKennany, Carl McKennany, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McKennany, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *T. E. Needles.*

Commissioner in Charge.

C-o-p-y.

DEPARTMENT OF THE INTERIOR.

-----Office of Indian Affairs.-----

.....
: L-a-n-d. :
: 37399-1902. :
.....

W a s h i n g t o n, Sept. 30, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made June 21, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the consolidated Mississippi Choctaw case of Frank McMennamy, et al.

This consolidated case embraces the following applications for identification as Mississippi Choctaws: Frank McMennamy applies for himself and his four minor children, James Melvin, Nora, Beulah and Mack; Frank L. McMennamy applies for himself and his three minor children, Florence, Weaver and Rayallie; John McMennamy for himself; Henry McMennamy for himself and his two minor children, Nettie and Artie; Montie Harman for herself and her minor child, Earnest; Mattie Parker for herself and her two minor children, Myrtle and Willie Fleet; George Stephens for himself; Marshal Leonard for himself; Isaac Leonard for himself; George McMennamy (McMennamy) for himself; John D. McMennamy for himself and his seven minor children, Oscar Ray, Una May, Dorris G., Thomas Dowell, Tressie, Orval and Carl; Josephine Stephens for herself and her five minor children, Joanna, Lu-

--2--

ther, Dellar, Pleasant and Ethel, and James McMennamy for himself; Allie Harmon for herself and minor child, Ola. Descent is claimed through Isaac McMennamy to Andrew Ward.

The applicants are not full-blood Choctaw Indians; the records of this office do not show that either of the above named ancestors received a patent for land under the provisions of the fourteenth article of the Treaty of Dancing Rabbit Creek, or that they received or in any manner attempted to secure the benefits of said article fourteen.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications, be affirmed.

Very respectfully,

Your obedient servant,

A. C. TONNER,

Acting Commissioner.

WCV
D

3 inclosures.

D. C. 18393.

C - o - p - y.

RAF.

DEPARTMENT OF THE INTERIOR.

W a s h i n g t o n, October 9, 1902.

T.T.D. 5994-1902.

L.R.S.

Commission to the Five Civilized Tribes,
Muskogee, I. T.

Gentlemen:

June 21, 1902, you transmitted the consolidated case involving the applications for identification of the following named persons as Mississippi Choctaws, to-wit: Frank, James Melvin, Nora, Beulah, Mack, Frank L., Florence, Weaver, Rayallie, John, Henry, Nettie and Artie McMennamy; Montie, Earnest, Allie, and Ola Harmon; Mattie Parker; Myrtle and Willie Fleet; George Stephens; Marshal and Isaac Leonard; George McMennamy (McMennamy); John D., Oscar Ray, Una May, Dorris G., Thomas Dowell, Tressie, Orval and Carl McMennamy; Josephine, Joanna, Luther, Dellar, Pleasant and Ethel Stephens; James McMennamy.

The applicants endeavor to trace their descent from one Andrew Ward, alleged to have been a full blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a Choctaw citizen, or that said Ward or a less remote ancestor of these applicants, or any of the

--2--

applicants complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the applications June 10, 1902.

Forwarding the papers September 30, 1902, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

Finding no reason to disturb your decision it is hereby affirmed.

Respectfully,

THOS RYAN,

Acting Secretary.

1 inclosure.

..COPY.

M. C. R. 1020

Muskogee, Indian Territory, October 17, 1902.

Frank McMenamy,

Colbert, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMenamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

SIGNED

James H. Hays
Acting Chairman.

COPY.

M. C. R. 1020

Muskogee, Indian Territory, October 17, 1902.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMennamy, et al., of which decision you were advised by mail on the 21st day of June, 1902.

Respectfully,

(SIGN)

Acting Chairman.

COPY.

M. C. R. 1020

Muskogee, Indian Territory, October 17, 1902.

George W. Johnson,
Attorney at Law,
c/o L. D. Horton,

Durant, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMenamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

Acting Chairman.

No. 1020

For Identification as a Mississippi Choctaw.

Date NOV -7 1900

Name Frank Mc. Mennamy.

Age 55 Blood 1/8

Post Office, Colbert, I. T.

Father: Isaac Mc. Mennamy - dead

Mother: Nancy Mc. Mennamy - dead.

Claims through father.

WIFE:

Laura Mc. Mennamy.
(No claim for wife).

Children:

James M. Mennamy	19
Mercy "	16
Beulah "	14
Mack "	5

NOV 7 1900

Choc. MCR 1021

Montie Harmon

See MCR 1020

MCR 1021

REFUSED

DECISION RENDERED. JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT.

JUN 21 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

RECORD FORWARDED DEPARTMENT

JUN 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 7 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 17 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

OCT 17 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 17 1902

REFER TO M. C. R. 1020.

W. C. R-1021

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. November 7, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Montie Harmon and her minor child. Montie
Harmon being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Montie, Harmon.
Q What is your age? A 24.
Q What is your post-office address? A Colbert.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you lived in the Indian Territory? A Just a
little over two weeks.
Q Is that the only residence you have ever maintained in the
Indian Territory? A Yes sir.
Q Where did you live prior to that time? A Texas.
Q How long did you live there? A Born and raised there.
Q Lived there all your life until you came to the Indian
Territory? A Yes sir.
Q How much Choctaw blood do you claim? A About one sixteenth
Q What is your father's name? A Henry McMennamy.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Martha McMennamy.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q Your father's name on any of the tribal rolls of the
Choctaw Nation? A No sir.
Q Was he ever recognized by the Choctaw tribal authorities
as a citizen of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal rolls of citizens of the Choctaw Nation in
the possession of the Commission examined and the
name of the applicant does not appear thereon.

- Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their national Council as a citizen of
that Nation? A No sir.
Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of June 10th, 1896? A No sir.

Record of applications made to this Commission in
1896 for citizenship in the Choctaw nation, examined
and the name of the applicant does not appear thereon

- Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Court for the Indian
Territory on appeal from the decision of the Choctaw tribal
authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States Court

Montie Harmon 2

examined the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw, A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I have been taught that by older people that I have relatives who were Mississippi Choctaws.

Q You are making your claim under the provisions of the 14th article of the treaty of 1830? A I don't know.

Q The only authority vested in this Commission to hear and determine the right of Mississippi Choctaws is contained in the 21st section of the act of Congress of June 28th, 1898, which provides " Said Commission shall have authority to hear and determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty of 1830 between the United States and the Choctaw Nation concluded September 27th, 1830." Do you make your claim under that provision of that treaty? A I don't know anything about the treaties so I will answer you no sir.

Q We cannot hear you then? A Well, I don't know anything about the treaties at all.

Q That is the only authority that is vested in this Commission to hear and determine the rights of applicants for identification as Mississippi Choctaws. There is no law, nor provision of any treaty that provides for the identification of Mississippi Choctaws except that which I have just quoted to you and if you make a claim under any other provision the Commission is without authority to hear and determine your right. A I don't make my claim under any other.

Q Do you make your claim under the 14th article of the treaty of 1830? A I am ignorant about the treaties and I don't know what you mean.

Q Do you know anything about the fourteenth article of the treaty of 1830? A Only what you have read.

Q You heard it read this morning did you? A Yes sir.

Q Do you make your claim under it. That is did any of your ancestors when the Choctaw Indians left Mississippi under the treaty of 1830 did they elect to stay in Mississippi. Is that your claim?

A No sir.

Q What is your claim? (No answer.)

Q You are making application for identification as a Mississippi Choctaw? A Yes sir.

Q The law says that the only people that can be identified by this Commission are those that have complied with the provisions of the 14th article of the treaty of 1830. Now that provides that the Choctaw Indians who didn't want to come to the Indian Territory, could elect to remain and become citizens of the state of Mississippi by signifying their intention to the Indian Agent at the Choctaw Agency in Mississippi. If they did that and staid there for five years on land allotted them by the United States government they would be given a fee simple title to that land and the treaty provided further that if thereafter they should desire to leave Mississippi and join the Choctaw tribe in the Indian Territory that they would be allowed to do so but they would not be allowed to share in the Choctaw annuity. Now, are you making your claim under that provision of that treaty? A I don't know, sir.

Q We must have a definite answer to pass on your claim. You must answer yes or no? A I will claim under that I reckon.

Q You do make your claim under the 14th article of the treaty of 1830? A Yes sir.

Montie Harmon 3

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A No sir, not that I know of.

Q You stated that your father's name was Henry McMennamy?

A Yes sir.

Q Where did he live? A He lives in the Indian Territory now.

Q Where did he live? A Texas.

Q Lived in Texas all his life? A Yessir.

Q Was born there? A Yes sir.

Q What was his mother's name? A Nancy McMennamy.

Q Was she a white woman? A Yes sir.

Q What was your grand father's name? A Isaac McMennamy.

Q He claimed to be a Choctaw Indian? A Yes sir.

Q Was he the son of Pamela Ward? A Yes sir.

Q Pamela Ward to the best of your knowledge and belief lived in Tennessee in 1820? A I don't know anything about it.

Q You heard your father and uncle testify about it? A Yes sir, I heard him testify to it.

Q Pamela Ward is the ancestor through whom you claim this right to identification? A I take Andrew Ward as the basis.

Q What relation was Andrew Ward to you? A My great great grand father.

Q Pamela Ward's father? A Yes sir.

Q Do you know anything about Andrew Ward's residence in Mississippi? A No sir.

Was Andrew Ward recognized as a member of the Choctaw tribe of Indians in Mississippi in 1830? A Not that I know of.

Q Did Andrew Ward or any other of your ancestors through whom you might claim this right to identification ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, not that I know of.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Nation? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Jesse Harmon.

Q How old is Jesse? A 23.

Q You are not making any claim for him? A No sir.

Q He is a white man? A Yes sir.

Q Did he ever make any claim to Indian citizenship? A No sir.

Q When did you marry him? A The 28th day of February in 1897.

Q Have you any children? A Yes sir, one.

Q What is the name and age of your child? A Earnest Harmon, is the name.

Q How old? A A year and eight months old.

Q Is that all the children you have? A Yes sir.

Q You are the mother of this child? A Yes sir.

Q Jesse Harmon is the father? A Yes sir.

Q He lives with you at your home? A Yes sir.

Q You and your husband live together? A Yes sir.

Q Is there any ~~written evidence~~ additional statement that you desire to make in support of this application? A No sir.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of your application?

A Yes sir.

There is offered in evidence certified copy of the marriage license and certificate between Jesse Harmon and Miss ~~Montie McMennamy~~ Montie McMennamy filed and made a part of the records in this case. Also the original application of Montie Harmon and the affidavits of Jeremiah McMennamy, Sarah Jones, W. L. Martin and C. M. Whittle, filed and made a part of the records in this case.

Montie Harmon 4

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 7th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 8th day of October, 1900.

Wm. L. V. Emerson
Notary Public.

COPY.

M.C.R. 1021.

Muskogee, Indian Territory June 21, 1902.

Montie Harmon,

Colbert, Indian Territory.

Dear Madam:-

You are hereby advised that on the 10th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Frank McMenamy, et al., embracing the following applications for identification as Mississippi Choctaws:

Frank McMenamy, et al.,	M.C.R.	1020
Frank L. McMenamy, et al.,	M.C.R.	1566
John McMenamy,	M.C.R.	951
Henry McMenamy, et al.,	M.C.R.	1019
Montie Harmon, et al.,	M.C.R.	1021
Allie Harmon, et al.,	M.C.R.	1312
Mattie Parker, et al.,	M.C.R.	947
George Stephens,	M.C.R.	953
Marshal Leonard,	M.C.R.	949
Isaac Leonard,	M.C.R.	950
George McMenamy (McMenamy)	M.C.R.	942
John D. McMenamy, et al.,	M.C.R.	1022
Josephine Stephens, et al.,	M.C.R.	943
James McMenamy,	M.C.R.	945.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

M. H. #2

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McKennamy, James Melvin McKennamy, Nora McKennamy, Beulah McKennamy, Mack McKennamy, Frank L. McKennamy, Florence McKennamy, Weaver McKennamy, Rayellie McKennamy, John McKennamy, Henry McKennamy, Nettie McKennamy, Artie McKennamy, Montie Harmon, Earnest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McKennamy (McKennamy), John D. McKennamy, Oscar Ray McKennamy, Una May McKennamy, Dorris G. McKennamy, Thomas Dowell McKennamy, Tressie McKennamy, Orval McKennamy, Carl McKennamy, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McKennamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

T. B. Woodies.

Commissioner in Charge.

Registered.

M. C. R. 1021.

Muskogee, Indian Territory, October 17, 1902.

Montie Harmon,

Colbert, Indian Territory.

Dear Madam:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMennamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

(SIGNED)

Edna L. May
Acting Chairman.

No. 3021

For Identification as a Mississippi Choctaw.

Date NOV -7 1900

Name Montie Harmon.

Age 24 Blood 1/16

Post Office, Colbert, S. D.

Father: Henry Mc. Mennamy - ✓

Mother: Martha Mc. Mennamy - ✓

Claims through father.

HUSBAND:

Jesse Harmon. 23
(No claim for husband).

Children:

Ernest Harmon 1.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 7 1900

ACTING CHAIRMAN

Choc. MCR 1022

John D. McMennamy

See MCR 1020

MCR 1022

CHOCOTAW
John D. McMennamy et al

REFUSED

DECISION RENDERED. JUN 10 1902

NOTICE OF DECISION TO APPLICANT

JUN 11 1902

NOTICE OF DECISION TO APPLICANT
ATTORNEY FOR APPLICANTS

NOTICE OF DECISION TO ATTORNEYS
FOR CHOCOTAW AND CHICKASAW NATIONS

JUN 21 1902

RECORD FORWARDED DEPARTMENT

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT -9 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

OCT 17 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCOTAW
AND CHICKASAW NATIONS

OCT 17 1902

REFER TO M. C. R. 1020.

M C R-1022

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 7th, 1900.

In the matter of the application for identification as
Mississippi Choctaws of John D. McMennamy and his seven minor
children. John D. McMennamy being duly sworn by the Commission,
testified as follows:

Examination by the Commission.

Q What is your name? A John D. McMennamy.
Q What is your age? A 45.
Q What is your post-office address? A Colbert.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A A couple of weeks a
little over.
Q What does your residence in the Indian Territory consist
of. How much of a residence have you got here? A I haven't got
any that I know of now.
Q Where are you living? A Colbert.
Q Bought a home there, a house? A I haven't yet.
Q Had a home in Texas? A Yes sir.
Q Own property in Texas? A Own a home there.
Q Where? A Near Kingston, Grayson County.
Q Haven't disposed of your property in Texas? A No sir.
Q What are you doing in the Indian Territory? A Well, I
come over there expecting to get a place.
Q How are you going to get possession of a place in the Indian
Territory? A I expected to buy some one out or maybe have to rent.
Q The only residence you have had in the Indian Territory then
is for the past two weeks you have been here? A Yes sir, now.
Q Have you moved your family here? A Yes sir.
Q Moved your household effects here? A Yes sir.
Q Have you any household effects or belongings in Texas at
this time? A Some of them are there that we didn't get shut of.
Q Where did you live before you came to the Indian Territory?
A Texas.
Q Lived there all your life? A Yes sir, I lived two years
in the Indian Territory before.
Q What two years? A About 18 years ago I guess.
Q What part of the Indian Territory? A In the Chickasaw
Nation near Spanish Fort.
Q What were you doing in the Indian Territory? A I was
farming.
Q How did you have possession of a farm in the Indian Terri-
tory? A Just rented.
Q Never were acknowledged to be a citizen by the tribal
authorities of the Choctaw Nation? A No sir.
Q Where did you live prior to your residence in Texas? A I
lived in Texas up until about eighteen years ago.
Q Born in Texas? A Yes sir.
Q Lived there all your life with the exception of the two years
you spent in the Indian Territory about eighteen years ago? A Yes
sir, about that time.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A Jerry, Jeremiah.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Eliza Ellen.

John D McMennamy 2

Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A Father.
Q Was your father's name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Did he ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A Not that I know of.
Q ~~Did he ever make application to the Choctaw tribal authorities as a citizen of that Nation?~~ Was he ever recognized by the Choctaw tribal authorities as a citizen of that Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant not found thereon.

Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
Q Did you or any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A Not that I know of.
Q You know whether you made application or not don't you?
A Me, no sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896 examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A I have been taught it is all I know.

Q Been taught what? A That I was related, that I had a right

Q Under the provisions of the 14th article of the treaty of 1830? A Well, I don't hardly understand the treaty.

Q Are you making your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A That's something I don't really understand.

Q The only authority vested in this Commission to hear and determine the rights of applicants to identification as Mississippi Choctaws is contained in the act of Congress of June 28th, 1898, which provides: "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of article fourteen of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." Do you make your claim as a beneficiary under that provision of that article of that treaty? A I hardly know. I think so. I don't want to misrepresent anything. I hardly know how to answer as I am

John D McMenamy 3

ignorant in regard to those treaties.

Q You have heard the treaty of 1830 read just now? A Yes sir.

Q Do you make your claim as a beneficiary under the 14th article of that treaty? A Well, I think so.

Q Do you or do you not? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I could not tell you

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians? A Ward.

Q What Ward? A Andrew Ward.

Q What relation was Andrew Ward to you? A Great Grand father

Q Was he living in Mississippi and a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I could not tell you.

Q He was the father of Pamela Ward? A Yes sir that is what I have been taught.

Q Pamela Ward your grand mother? A Yes sir.

Q Did you ever know her? A No sir.

Q Never have seen her? A No sir.

Q What was your father's name? A Jeremiah McMenamy.

Q Jeremiah McMenamy was born in Tennessee as the son of Pamela Ward about 1820? A I could not say. I may have heard him say.

Q To the best of your knowledge and belief Pamela Ward was living in Tennessee in 1830. Is that correct? A They lived there but I could not say when. At least I heard them say they lived there but I could not say when.

Q You claim your right through Pamela Ward, don't you? A Yes sir.

Q You heard Henry McMenamy testify a short while ago as to Pamela Ward's residence? A Yes sir I heard him.

Q That she was to the best of his knowledge and belief a resident of the state of Tennessee in 1820? A That was Frank wasn't it, the last one?

Q Yes sir. A Yes sir I heard him.

Q That was what you have been taught and believe isn't it?

Q Well I could not say but I have been taught they lived in Tennessee but I could not say when.

Q You know nothing contradictory to ~~his~~ his testimony? A No sir.

Q He testified that Pamela Ward was a resident of Tennessee in 1820, that she removed from there to Illinois and that his father was born there and they they removed from there to Texas. That is correct isn't it? A That's what he testified to.

Q Where was your father born? A I could not say. I think he - he must have been born in Tennessee.

Q How old is your father? A He's about eighty years old I think. Make it 38.

Q Did he ever live in Mississippi? A I don't know.

Q You must know that much. A No sir I don't know whether he did or not.

Q Haven't you testified and heard your cousin testify that Pamela Ward lived in Tennessee in 1820, removed from there to Illinois and from Illinois to Texas? A Yes sir.

Q Now did your father ever live in Mississippi? A I don't know.

Q Did he move out here with the rest of the family? A Yes sir.

Q Did you ever hear him say he lived in Mississippi? A I think so.

Q When? A I could not say.

Q Was he recognized as a member of the Choctaw tribe of Indians in Mississippi in 1830? A I could not say.

Q Did any of your ancestors through whom you might claim this right to identification ever receive or claim any land in Mississ-

John D. McMennamy 4

ippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I could not tell you.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Laura McMennamy.

Q Are you making any claim for her? A No sir.

Q She is a white woman is she? A Yes sir.

Q Never made any claim to Indian citizenship by blood? A No sir.

Q Where did you marry her? A Kingston, Texas.

Q When? A In 1887.

Q Married to her in accordance with the laws of the state of Texas? A Yes sir.

Q Have you your marriage license and certificate? A Yes sir.

Q Have them with you? A Yes sir.

Q Have you any children? A Yes sir.

Q What are the names and ages of your children under twenty one and unmarried for whom you desire to make application? A Oscar Ray.

Q How old is he? A 13.

Q The next one? A Una May.

Q How old is Una May? A ~~Seven~~ Eleven.

Q The next one? A Dorris G.

Q A boy or a girl? A Boy.

Q How old? A Nine.

Q The next one? A Thomas Dowell.

Q How old is he? A Seven.

Q The next one? A Orval.

Q A boy or a girl? A A boy.

Q How old? A Three.

Q The next one? A Carl.

Q Boy? A Yes sir.

Q How old? A Four months.

Q You are the father of these seven children? A Yes sir.

Q Laura McMennamy is the mother? A Yes sir.

Q These children all live with you at your home? A Yes sir.

Q You and your wife are living together? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A No sir.

Q Any written evidence that you desire to offer the Commission for its consideration in support of your application? A Yes sir.

There is offered in evidence the certified copy of the marriage license and certificate between J. D. McMennamy and Miss Laura Culver, marked exhibit A filed and made a party of the record in this case. Also the original application and petition of J. D. McMennamy and the affidavits of Jemima McMennamy, Sarah Jones, W. L. Martin and C. M. Whittle marked exhibit B, filed and made a part of the records in this case.

The decision of the Commission as to your application and the application you make on behalf of your seven minor children for identification as Mississippi Choctaws, will be mailed to you in writing some time in the near future to your present post-office address.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above

John D McMenamy 5

entitled cause on the 7th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 9th day of November, 1900

Guy L. Emerson
Notary Public.

COPY.

M.C.R. 1022.

Muskogee, Indian Territory June 21, 1902.

John D. McMennany,
Colbert, Indian Territory.

Dear Sir:-

You are hereby advised that on the 10th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Frank McMennany, et al., embracing the following applications for identification as Mississippian Choctaws:

Frank McMennany, et al.,	M.C.R. 1020
Frank L. McMennany, et al.,	M.C.R. 1566
John McMennany,	M.C.R. 951
Henry McMennany, et al.,	M.C.R. 1019
Montie Harmon, et al.,	M.C.R. 1021
Allie Harmon, et al.,	M.C.R. 1312
Mattie Parker, et al.,	M.C.R. 947
George Stephens,	M.C.R. 953
Marshal Leonard,	M.C.R. 949
Isaac Leonard,	M.C.R. 950
George McMennany (McMennany)	M.C.R. 942
John D. McMennany, et al.,	M.C.R. 1022
Josephine Stephens, et al.,	M.C.R. 943
James McMennany,	M.C.R. 945.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

John W. McMennamy-----2

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Frank McMennamy, James Melvin McMennamy, Nora McMennamy, Beulah McMennamy, Buck McMennamy, Frank McMennamy, Florence McMennamy, Weaver McMennamy, Rayallie McMennamy, John McMennamy, Henry McMennamy, Nettie McMennamy, Artie McMennamy, Montie Harmon, Ernest Harmon, Allie Harmon, Ola Harmon, Mattie Parker, Myrtle Fleet, Willie Fleet, George Stephens, Marshal Leonard, Isaac Leonard, George McMennamy (McMennamy), John D. McMennamy, Oscar Ray McMennamy, Una May McMennamy, Dorris G. McMennamy, Thomas Dowell McMennamy, Tressie McMennamy, Orval McMennamy, Carl McMennamy, Josephine Stephens, Joanna Stephens, Luther Stephens, Dellar Stephens, Pleasant Stephens, Ethel Stephens and James McMennamy, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

E. D. Needles.

Registered.

Commissioner in Charge.

M. C. R. 1022.

Muskogee, Indian Territory, October 17, 1902.

John D. McMenamy,
Colbert, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Frank McMenamy, et al., of which decision you were advised by registered mail on the 21st day of June, 1902.

Respectfully,

(SIGNED)

James A. Smith
Acting Chairman.

Date Nov. 4-1900-
Name John M. McMennamy -
Age 45- Blood '18
Post-Office Albert J. J.
Father Jeremiah M. McMennamy
Mother Eliza E. McMennamy
Claims through Father -
Wife Laura M. McMennamy.
No claim for wife L.

Children:
Oscar R. McMennamy 13
Hya May " 11
Agnes L. 9
Thomas H. 7
Francis 5-
Orval 3
Carl 4 mo.

Sept. 13th 1900
Premium to the 5th of October -
Filed - Nov. 4-1900 -

Stenographer James B. B.
acting claimant -

Choc. MCR 1023

Eliza Higginbotham

see MCR 654

MCR 1023

W. H. Higginbotham

REFUSED

DECISION RENDERED. JUL 18 1902

NOTICE OF DECISION MAILED APPLICANT:
JUL 18 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.
JUL 18 1902

RECORD FORWARDED DEPARTMENT.
JUL 18 1902

ACTION APPROVED BY SECRETARY OF INTERIOR
SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. OCT 8 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
OCT 8 1902

REFER TO M. C. R. 654

4/102 Address Teller I. T.

M. C. R-1023

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 7th, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Eliza Higginbotham and her two minor
children. Eliza Higginbotham being duly sworn by the Commission,
testified as follows:

Examination by the Commission.

Q What is your name? A Eliza Higginbotham.
Q What is your age? A 35
Q What is your post-office address? A Tecumseh.
Q Where is that? A In Oklahoma.
Q Do you live in Oklahoma? A Well, I am living in Oklahoma
at present.
Q How long have you lived there? A Off and on about ten
years.
Q The last time how long have you lived there? A Since
August.
Q Where did you live before that? A In the Creek Nation.
Q Whereabouts in the Creek Nation? A Henrietta was the
post-office.
Q How long did you live in the Creek Nation? A Six months.
Q Where did you live before that? A Oklahoma.
Q How long did you live in Oklahoma that time? A Eight
years.
Q Where did you live before that? A I come from Missouri
to Oklahoma.
Q How long did you live in Missouri? A A little over a year
Q Where did you live before that? A Kansas.
Q How long did you live in Kansas? A A year and six months.
Q Where did you live before that? A Cherokee Nation.
Q How long did you live there? A Two years.
Q Where did you live before that? A Arkansas.
Q How long were you in Arkansas? A From the time I was
seven until I was eighteen.
Q Where did you live before your residence in Arkansas? A
In Missouri, born in Missouri.
Q Never have lived in Mississippi? A No sir.
Q Never have lived in the Choctaw or Chickasaw Nations in the
Indian Territory? A No sir.
Q How much Choctaw blood do you claim? A One sixteenth.
Q What is your father's name? A Calip Fisher.
Q Is he living? A Yes sir.
Q What is your mother's name? A Rebecca Emiline Fisher.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q Was your father's name ever on any of the tribal rolls of
the Choctaw Nation? A No sir.
Q Has he ever been recognized by the Choctaw tribal authori-
ties as a citizen of the Choctaw Nation? A No sir, never has
until he began to work this.
Q He never has been recognized by the Choctaw tribal
authorities has he? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in

Eliza Higginbotham 2

the possession of this Commission examined and the name of the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, never have.

Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of that Nation? A No sir.

Q Did you or any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of United States Court examined and the name of the applicant does not appear thereon.

Q This is the first application you have ever made? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Well, he always claimed that he was Choctaw Indian and according to the treaties.

Q You are making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A No sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of the Choctaw tribe? A It was Calip Fisher, my great grand father and heath Fisher his wife.

Q Were they recognized members of the Choctaw tribe of Indians in Mississippi in 1830? A I believe they was.

Q Have you any evidence showing they were recognized members of the tribe in Mississippi in 1830? A I don't know whether my evidence does or not. I have written papers here.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw tribe of Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A James Higginbotham.

Q You are not making any claim for him are you? A No sir.

Q He is a white man? A Yes sir.

Q Never made any claim to Indian citizenship? A No sir.

Q Are you living with him? A Yes sir.

Q Have you any children? A Yes sir.

Eliza Higginbotham 3

- Q What are their names and ages? A Johnnie, 15.
Q The next one? A Willie, ten.
Q Is that all? A Yes sir.
Q You are the mother of these two children? A Yes sir.
Q James Higginbotham is the father? A Yes sir.
Q These children both live with you at your home? A Yes
sir.
Q Is there any additional statement you desire to make in
support of your application? A No sir.
Q Is there any written evidence you desire to offer the
Commission for consideration in support of your application? A
Yes sir.

There is offered in evidence the application and
petition of Eliza Higginbotham and the affidavits of
Tobias Edwards and John Albertson offered in evidence
marked exhibit A. filed and made a part of the record
of this case.

The decision of the Commission as to your application and
the application you make on behalf of your two minor children for
identification as Mississippi Choctaws will be mailed to you in
writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath
states that as stenographer to the Commission to the Five Civilized
Tribes, she reported in full all proceedings had in the above
entitled cause on the 7th day of November, 1900, and that the
above and foregoing is a full true and correct transcript of her
stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 9th day of November, 1900

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, January 7, 1901.

Mrs. Elisa Higginbottom,

Ripley, Oklahoma Territory.

Dear Madam:

The Commission is in receipt of your letter of December 18th, 1900, enclosing marriage certificate between J. B. Higginbottom and Elisa J. Thompson, and asking that same be returned to you.

The Commission is unable to return the said marriage certificate for the reason that it has been filed with the other papers in the matter of your application for the identification of yourself and children as Mississippi Choctaws, and being a part of the records in the case must be retained by the Commission.

Yours truly,

Acting Chairman.

M. C. R-1023

Muskogee, Indian Territory, March 4, 1901.

Mrs. Eliza Higginbottom,

Teller, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of February 15, in which you advise that your post office address is now Teller, Indian Territory. This information has been made a matter of record.

Yours truly,

Acting Chairman.

Atokm

COPY

M.C.R. 1023.

Muskogee, Indian Territory, July 18, 1902.

Eliza Higginbotham,

Tecumseh, Oklahoma Territory.

Dear Madam:

You are hereby advised that on the 18th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Calip Fisher, et al., embracing the following applications for identification as Mississippi Choctaws:

Calip Fisher, et al.,	M.C.R. 654
Eliza Higginbotham, et al.,	M.C.R. 1023
Jesse Fisher,	M.C.R. 658
Sarah Wilson, et al.,	M.C.R. 658
Thomas Fisher, et al.,	M.C.R. 657
Calvin Fisher, et al.,	M.C.R. 1034
William Fisher,	M.C.R. 655
Ella Hamilton,	M.C.R. 659
Martha Tice, et al.,	M.C.R. 655
Laura Jewell, et al.,	M.C.R. 869
Ellen Gertrude Latham, et al.,	M.C.R. 870
George Tice, et al.,	M.C.R. 866
William Tice, et al.,	M.C.R. 867
Samuel Fisher, et al.,	M.C.R. 1035
Effie Wingo, et al.,	M.C.R. 1066
Della Foster,	M.C.R. 1067

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Calip Fisher, Clara Fisher, Eliza Higginbotham, Johnnie Higginbotham, Willie Higginbotham, Jesse Fisher, Sarah Wilson, Ethel Wilson, William Wilson, Ben Wilson, Ray Wilson, Thomas Fisher, Emma Fisher, Bertha Fisher, Calip Fisher, Calvin Fisher, Eunice Alta Fisher, William Fisher, Elia Hamilton, Martin Tice, Charles Tice, Walter Tice, Jesse Tice, Martin Tice, Laura Jewell, William Jewell, Lillie Jewell, Lottie Jewell, Willard P. Jewell, Ellen Gertrude Latham, William Latham, Janie Latham, David Latham, George Tice, David Tice, William Tice, Oscar Tice, Samuel Fisher, Willie Fisher, Arthur Fisher, Grace Fisher, Ola Fisher, Jesse Fisher, Mary Fisher, Effie Wingo, Mary Wingo, Oscar Wingo, Dew Wingo, Birdie Wingo, and Della Foster, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED

I. B. Needles.
Commissioner in Charge.

Registered.

M C N 1003

Muskogee, Indian Territory, July 19, 1903.

Mr. F. Murland,
Attorney at Law,
Tulsa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th inst., asking what disposition had been made of the application of Mrs. Eliza Higginbottom.

In reply you are advised that it does not appear from our records that any person by the name of Eliza Higginbottom has made application to this Commission for identification as a Mississippi Choctaw. Our records do show however, that one Eliza E. Higginbottom appeared before the Commission on November 7, 1900, and made application for the identification of herself and her minor children Johnnie and Willie Higginbottom as Mississippi Choctaws.

If this is the identical person referred to in your letter you are informed that the case of this applicant was consolidated and considered with the applications for identification as Mississippi Choctaws of Calip Fisher, and certain other persons, claiming descent from the same common ancestor, Calip Fisher, (1).

Mr. F. B. [unclear]

The Commission, on July 18, 1902, rendered its decision refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Ollip Fisher, et al., and on the same date notified the several applicants therein of such decision and forwarded the record in the case to the Secretary of the Interior for review. The several applicants in this consolidated case will be notified in due time of such action as may be taken by him.

Yours truly,

Commissioner in charge,

H. C. R. 1023.

Muskogee, Indian Territory, October 8, 1908.

Remained Feller - I.T.

7024, 902

Dear Madam:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Galip Fisher, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

10.5412

ADVERSE CHAIRMAN

MAILED IN REPLY TO THE FOLLOWING:
MUR 1023

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.


Muskogee, Indian Territory, December 14, 1906.

Eliza Higginbotham,
Teeumseh, Oklahoma.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on December 5, 1906, denied the petition filed under the Act of Congress approved April 26, 1906, by Calip Fisher, of Tishomingo, Indian Territory, for the reopening of the consolidated Mississippi Choctaw case of Calip Fisher, et al.

Respectfully,


Commissioner.

No. 1023

For Identification as a Mississippi Choctaw.

Date NOV -7 1900

Name *Oliza Higginbotham.*

Age *35* Blood *1/16*

Post Office, *Decatur, O. T.*

Father: *Calip Fisher - ✓*

Mother: *Emma Fisher - ✓*

Claims through *father.*

HUSBAND:

James Higginbotham ✓
(No claim for husband).

Children:

Johnnie Higginbotham 13.
Allie " " 10.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CIVILIZED TRIBES.

FILED

NOV 7 1900

[Signature]
ACTING CHIEF

G. O. File 10837
Mrs. Eliza Higginbottom
Ripley Okla.
Dec. 18, 1900.

M.C. R 1023 Eliza Higginbotham
et al.

Eliza Higginbotham, 35 years
of age, of Tecumseh, O.T. ap-
peared before Commission at Van
kogue and made application for
identification of herself and
two children, Johnnie and Wil-
lie Higginbotham. No claim is
made for the husband, James
Higginbotham. No judgment
has as yet been rendered in
this case.

Atoka, January 4, 1901.

AB

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

Eliza Higginbotham,
Tecumseh, Oklahoma.



DEPARTMENT OF
Commissioner to the F.V.C.

FILED

JAN 26 1907

A handwritten signature or set of initials, possibly 'J. H. C.', written in dark ink.

COMMUNIST

Choc. MCR 1024

Jesse Fir

See MCR 1056

MCR 1024

MISSISSIPPI CHOCTAW.

B 1024

ENROLLMENT

Jesse Fix, et al

Refused

Refer to MCH-1056

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

MUSKOGEE, MARCH 31, 1900.

IN THE MATTER OF THE APPLICATION FOR ENROLLMENT OF JESSE
PIX OF SOUTH CANADIAN AS A CITIZEN OF THE CHOCTAW NATION.

Being first sworn by Guy J. V. Emerson, Notary Public,
Jesse Pix testifies as follows:

Q What is your name? A Jesse Pix.

Q How old are you? A Forty seven

Q Are you a white man or an Indian? A I am an Indian

Q What proportion of blood? A I think about a quarter.

Q Of what tribe? Choctaw.

Q Where were you born? A I think I was born in Alabama.

Q You don't know at what place? A No, I don't.

Q How long did you live in Alabama? A I think about ten or fifteen
years, or twenty, somewhere along there. I don't remember. I don't
think there was any record kept of it. I aint sure. Ten years
probably.

Q You left Alabama then, when you were about ten years old. A Ten
or twelve, something along there.

Q Where did you go? A To Missouri.

Q How long did you live in Missouri? A Well, now, I could not say.

Q About how long? A About five years, something like that.

Q From Missouri where did you go? A Well, now, I think I went then
to Kansas.

Q How long did you live in Kansas? A About ten or fifteen years.

Q From Kansas where did you go? A I went to Oklahoma.

Q How long did you remain in Oklahoma? A I think about ten years
or something like that. Seven or eight.

Q From Oklahoma you went where? A To the Choctaw Nation.

Q And you arrived in the Choctaw Nation about ~~six~~ what year? A Well,
of course I didn't set it down; I can't recollect.

Q About what year? A I think about '95 or '96, somewhere along there.

Q What was your father's name? A William Fix.

Q Is he living now? A No, sir, he is dead.

Q What was your mother's name? A Delilah Fix.

Q Is she now living? A She is dead.

Q Where did your parents die? A Why they died in Kansas several years ago.

Q Did they ever live in the Choctaw Nation? A No, they never lived in the Choctaw Nation.

Q What is your wife's name? A Susan R Fix.

Q What was your wife's maiden name? A Susan R. Fultz.

Q Do you apply for her enrollment? A Yes.

Q How old is she? A Thirty five.

Q Is she a white woman? A No.

Q What is her nationality? A Choctaw.

Q By blood? A Yes.

Q What proportion of blood? A I think about one eighth.

Q Has she ever lived in the Choctaw Nation until she came with you?
A I think not.

Q Have you any children? A I have four children.

Q What are their names and ages? A Philip Fix, 20; Clara Fix, age 18
Robert Fix, 14, Gertie Fix, 4.

Q Have you and your family ever been recognized by the Choctaw tribe as members of the tribe? A Well now, I could not say as far as that is concerned whether they have or not.

Q Have you been enrolled by the tribe? I don't know whether I have or not. I can't say. There has never been anybody said anything about it to me that I know of.

Q Did you make application to this Commission for citizenship in the year 1896? A No.

Q Did you ever make application for citizenship to any tribunal, committee or court? A Not that I know of.

Q What is your post office? A South Canadian, I.T.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 9, 1900.

NO. 1024.

In the matter of the application for identification as Mississippi Choctaws of Jesse Fix and his wife Susan E. Fix and their four children. Jesse fix, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Jesse Fix.
Q What is your age? A I am 47.
Q What is your post office address? A Canadian, Indian Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory?
A Since 1896.
Q Have you maintained a continuous residence in the Indian Territory for the past four years? A Yes sir.
A Well, I think in Indiana.
Q How long did you live in Indiana? A About 4 years.
Q Where did you go from there? A I do not know. I was young and do not know where they went from there.
Q How old were you when you left Indiana? A I was only three or four years old.
Q And you do not know where they went from there? A No, not at that time, I do not know.
Q What is your earliest recollection of where you were living?
A Well the most of my recollection was that I lived in Kansas.
Q How old were you then? A About 8 or 10.
Q How long did you live in Kansas? A I really don't know.
Q About how long? A Well, about 20 years I suppose.
Q Where did you go from Kansas? A We lived in Missouri awhile.
Q Where did you go from Kansas? A I think to Missouri.
Q How long did you live in Missouri? A I could not say.
Q About how long? A About 8 or 10 years.
Q Where did you go from there? A In Choctaw.
Q Went from Missouri to the Choctaw Nation? A Yes sir, I think as near as I can remember from Missouri.
Q When did you go from Missouri to the Choctaw Nation?
Q A Well, I do not know when that was.
Q About how long ago? A Well, indeed, I do not know how long ago that was.
Q Well about how long? A Well It has been about 10 or 15 years.
Q How long did you remain in the Choctaw Nation?
A Well we have been in the Choctaw Nation since 1896.
Q Well you say you went there 15 years ago from Missouri? How long did you stay there at that time? A I could not say. I do not know when the folks moved away or anything about it.
Q You went to the Choctaw Nation 15 years ago, how long did you stay there? A Well I guess ever since.
Q Where did you come from to the Choctaw Nation when you came to the Choctaw Nation in 1896? A Well Oklahoma.

- Q How long did you live in Oklahoma? A About 7 years.
- Q Where did you live before that? A Missouri.
- Q How long did you live in Missouri? A I suppose 12 or 15 years.
- Q How do you make these statements agree with the statement that you moved from Missouri to the Choctaw Nation 15 years ago? A I was just guessing at that.
- Q Were you in the Indian Territory about 15 years ago?
- A I guess I was.
- Q Where did you move from Missouri to the Indian Territory, what place in the Indian Territory? A At McAlester.
- Q How long did you remain there? A A year or two.
- Q Was that 15 years ago? A About that. Of course I aint stating it as the exact time. I said about that time. I never set it down, and I do not remember when it was.
- Q How long were you in the Choctaw Nation when you removed from Missouri to the Choctaw Nation, as you have stated, about 15 years ago? A Of course I do not remember everything.
- Q How long were you there 15 years ago? How long were you in the Choctaw Nation? A Well about 5, 6, or 7 years somewhere along there.
- Q Do you know what you are saying? A I know what I mean.
- Q Tell me where you have lived for the last 15 years?
- A Of course I have lived in Missouri and the Choctaw Nation.
- Q You stated that you had removed from Missouri to the Choctaw Nation 15 years ago. A I said about that time.
- Q At what point in the Choctaw Nation did you move?
- A I moved to South McAlester, then we moved, I think, in close to Stonewall awhile, but really I cannot say how long.
- Q How long were you in either the Choctaw or Chickasaw Nations?
- A Well, as I said, it was about 12 or 15 years ago, I do not remember exactly how long I have been in other states. I never set it down.
- Q Have you any conception of time? A Well you see of course I never set it down and I do not know anything about it. Now I really do not know how long I lived in Missouri to tell the truth about it. We moved from Kansas to Missouri, and from Missouri to the Choctaw Nation, and
- Q How long did you stay there? A 7, 8, or 10 somewhere like that.
- Q How long were you there? A We might have been 7 years there, as near as I can remember, then we moved to Oklahoma and moved back to South Canadian in 1896.
- Q Did you ever live in Mississippi? A No I never did.
- Q Did any of your ancestors ever live in Mississippi?
- A Yes sir.
- Q What was his name? A Peter Picayune.
- Q How much Choctaw blood do you claim? A About 1/4.
- Q What was your father's name? A My father, William Fix.
- Q Is your father living? A No sir.
- Q What is your mother's name? A Delila Fix.
- Q Is your mother living? A No sir.
- Q Through which one of your parents do you claim your Choctaw blood? A Mother's side.
- Q How long has your mother been dead? A I think she has been dead about 15 years.
- Q Was her name on any of the tribal rolls of the Choctaw Nation during her life time? A Not that I know of.

- Q Are you making your claim under the provisions of the 14 article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of the 14 article of the treaty of 1830? A I don't know.
- Q What is the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A Peter Picayune.
- Q Was Peter Picayune a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I think he was.
- Q Have you any evidence of that fact? A Yes sir.
- Q What does it consist of? A Of course I can get it, get evidence to that fact.
- Q You can? A Yes sir.
- Q How much time do you want to get it in? A I can have it in two or three weeks.

Commission:

Permission is granted the applicant to file written evidence in support of this application, provided the same is filed within 20 days from the date hereof.

- Q Did any of your ancestors ever receive or claim any land in Mississippi as a beneficiary under the 14 article of the treaty of 1830? A I do not know that.
- Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No.
- Q Are you married? A Yes.
- Q What is your wife's name? A Susan E. Fix.
- Q Is she a white woman? A No.
- Q What is she? A Part Indian.
- Q Do you make any claim for her? A Yes sir.
- Q What do you claim her to be? A A Mississippi Choctaw.
- Q You make application for her identification as a Mississippi Choctaw? A Yes sir.
- Q How old is she? A She is 36.
- Q How much Choctaw blood has your wife? A I think about 1/16.
- Q What is her father's name? A David Fultz.
- Q Is he living? A No.
- Q What is your wife's mother's name? A Elizabeth Paton, it is Fultz now.
- Q Is she living? A No she is dead.
- Q Through which one of your wife's parents does she claim her Choctaw blood? A Her mother.
- Q How long has her mother been dead? A Oh it has been about 25 years, I guess.
- Q Where did you marry your wife? A Kansas.
- Q When? A It has been about 30 years ago.
- Q Has she lived with you ever since then? A Yes sir.
- Q Her residence has been the same as yours? A Yes sir.
- Q Where was she born? A I could not say, I do not know.
- Q Do you know anything about her residence prior to your marriage to her? A No, I really do not.
- Q Did she ever live in Mississippi? A I think not.
- Q Did any of her ancestors ever live in Mississippi?
- A Her grandmother.

- Q Was she ever recognized by the Choctaw tribal authorities as a citizen of that Nation? A Not that I know of.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
- Q Have you any doubt about it? A No, I have no reason to believe it is and I have no reason to believe it aint.
- Q Have you any reason to believe that it was put there? A I don't see why it should not have been.
- Q Have you ever made application? A No sir.
- Q Have you ever been recognized by the Choctaw tribal authorities as a Choctaw? A Not until this time.
- Q You are not now being recognized by the Choctaw tribal authorities— this is not the Choctaw tribal authorities.
- A That is what it is supposed to be.
- Q No sir, this is the United States.
- Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of that Nation? A Not that I know of.
- Q Have you any reason to believe that you have been? A I have always thought it ought to be.
- Q Have you ever been recognized by the Choctaw tribal authorities, by any official act of their National Council as a citizen of that Nation? A No sir, I have not.
- Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship under the act of Congress of June 10, 1896? A Not that I know of.
- Q You know whether you did or not? A No, I didn't.
- Q What is your answer to that question, then? Did you make application in 1896? A No I didn't.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by decision of the United States court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No.
- Q Have you ever, prior to this time, made any application to either the authorities of the Choctaw Nation or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No.
- Q Didn't you make application to this Commission on March 31, 1900, at its offices in Muskogee? A Oh yes sir, yes sir, of course, I have since 1896. I thought you meant in 1896; these are all the applications that I have made.
- Q You are the identical Jesse Fix who made application to this Commission at its offices in Muskogee on March 31, 1900? A Yes sir.
- Commission:
There is offered in evidence and made a part of the records in this case, a copy of the testimony of Jesse Fix in the matter of his application for enrollment as a citizen of the Choctaw Nation, together with petition and attached affidavits, and the same is marked Exhibit A, filed and made a part of the records in this case.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Well, I believe because my great grandmother was a Mississippi Choctaw.

- Q What was her grandmother's name? A Paten.
 Q Her full given name? A I do not remember her full name.
 Q Was her grandmother a recognized member of the Choctaw tribes of Indians in Mississippi in 1830?
 A I do not know whether she was or not.
 Q Do you make this application for your wife under the provisions of the 14 article of the treaty of 1830? A Yes.
 Q Did any of your wife's ancestors ever comply with the provisions of the 14 article of the treaty of 1830?
 A Not that I know of.
 Q Did any of your wife's ancestors ever receive or claim any land in Mississippi under the provisions of the 14 article of the treaty of 1830? A I do not think they did. They may have claimed it but they didn't receive any, but I don't know.
 Q Did they claim it as beneficiaries under the 14 article of the treaty of 1830? A Yes sir.
 Q Have you any evidence of that fact? A I could not say, I do not know whether we can get evidence of that or not.
 Q Have you your marriage license and certificate?
 A We have it at home, I think.
 Q Have you any children? A Yes sir.
 Q How many? A 4.
 Q What are their names and ages? A Phillip Fix, 20, Clara Fix, 19; Robert Fix, I think he is 15 years old; Gertie Fix, 5 years old next May.
 Q That all? A Yes sir.
 Q Are you the father of these four children? A Yes sir.
 Q Susan E. Fix the mother? A Yes sir.
 Q These children have always lived with you at your home?
 A Yes sir.
 Q Is there any additional statement that you desire to make in support of your application and the application you make on behalf of your wife and minor children? A No sir.

Commission:

There is offered in evidence, filed and made a part of the records, the original application and petition of Jesse Fix, which is marked Exhibit B; and the affidavits of Valentine Rice, L. N. Ogee, Matth Hoefler and C. E. Britten, marked Exhibit C, and made a part of the records in this case. The decision of the Commission as to your application, and the application you make on behalf of your wife and four minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 9th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this 14 day of November, 1900.

Guy L. Emerson

Notary Public.

Muskogee, Indian Territory, September 12, 1900

Miss Clara Fix,

Shawnee, Oklahoma.

Dear Madam:

The Commission is in receipt of your letter of the 18th of August, in which you state that your father, Mr. Jesse Fix, left with this Commission some time in March last his application for citizenship in the Choctaw Nation. You now request to be informed if there has any action been taken by the Commission as to this application and that if there is anything further that is necessary that he can appear before the Commission in person at any time.

You are informed that the records of this Commission show that Jesse Fix did appear before the Commission at its office in Muskogee, March 31st, 1900, and at that time made application for enrollment as a citizen of the Choctaw Nation. The Commission has not come to any decision in this case and will not be able to do so for the reason that there is not sufficient testimony upon which to base a decision. It will therefore be necessary for your father to again appear in person before the Commission for the purpose of a further examination so that sufficient facts may be elicited upon which a decision may be based. It is suggested that such an appearance be made as early as possible as the Commission is desirous of disposing of any rights of doubtful claimants within the near future.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, December 6, 1900.

Mrs. Marie Pierce,
Council Grove, Kansas.

Dear Madam:

The Commission is in receipt of your letter of November 30th in regard to your brothers, Cyrus H. and Jesse Fix, who made application to this Commission for identification as Mississippi Choctaws. Your letter has been filed and made a matter of record with the Commission.

You are informed that on November 9th, Jesse Fix, 47 years of age, of Canadian, Indian Territory, appeared before the Commission at Muskogee, and made application for the identification of himself, his wife, and his four minor children, as Mississippi Choctaws.

On November 21st, Cyrus H. Fix appeared before the Commission at Muskogee, and made application for the identification of himself and his three minor children as Mississippi Choctaws.

The Commission has not as yet rendered any decisions in these cases but contemplates doing so in the near future when a copy of the decision will be mailed the applicant in each case stating fully therein the reason for any action that may be taken by the Commission.

Yours truly,

M. C. R-1024
M. C. R-1026

Acting Chairman.

Muskogee, Indian Territory, January 8, 1901.

Mrs. Marie Pierce,
Box 405,
Council Grove, Kansas.

Dear Madam:

The Commission is in receipt of your letter of December 10th relative to the application for identification as Mississippi Choctaws of Jesse and Cyrus H. Fix and in which you state that you are of the opinion that a grave mistake has been made some where as you did not write a letter to this Commission relative to your brothers' rights to enrollment in the Choctaw Tribe of Indians.

You are informed that the Commission has among its records a letter written from Topeka, Kansas, November 30th, 1900, and signed by Mrs. Marie Pierce, Council Grove, Kansas and Mrs. Delila Burk, Rossville, Kansas and is as follows:

" Their claim would be unjust. To the Dawes Commission: Sir The Fix Brothers that are making application for to be recognized as Choctaw Indians have no Indian blood in them as their mother was our mother and she was a pure good white woman. I dont see how they can get evidence unless the parties are purging themselves and undoubtedly they will do so as they could not get proof unless they would swear to many falsehoods. I don't want them to disgrace our poor old mother for we have all of us always lived in Kansas for 42 year, never lived any place else since we came from Virginia and I dont see what they mean to swear as they would have to this is all the truth and we will make affidavit to that effect. We met in Topeka."

Your letter of recent date denying that you forwarded such a communication to the Commission has been filed with the other papers in the matter of the application for identification of

Mrs M P 2

your brothers as Mississippi Choctaws and will receive the consideration of the Commission in the disposition of their claims.

Yours truly,

Acting Chairman.

M. C. R-1056

M. C. R-1024

COMMISSIONERS:

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R.1024

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Washkatee, Indian Territory, June 20, 1902

Jesse Fix,

Canadian, Indian Territory.

Dear Sir:

You are hereby advised that on the 10th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Cyrus H. Fix, et al., embracing the following applications for identification as Mississippi Choctaws:

Cyrus H. Fix, et al.,	M.C.R.1056,
Mary J. Wood, et al.,	M.C.R.4431,
Cyrus L. Fix,	M.C.R.1068,
Sarah Myrtle Bauman, et al.,	M.C.R.1096,
Delila Jane Bush, et al.,	M.C.R.4205,
William H. Bush,	M.C.R.4413,
Delila J. Weis,	M.C.R.4414,
John W. Bush,	M.C.R.4415,
Lucy Mitchell, et al.,	M.C.R.4204,
Isador Bush,	M.C.R.4416,
Nora Navarre,	M.C.R.4417,
Jesse Fix, et al.,	M.C.R.1024,
William H. Fultz, et al.,	M.C.R.1095.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw

J F 2

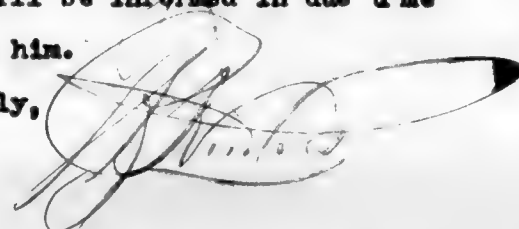
Nation, concluded September twenty-seventh, eighteen hundred and thirty and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Cyrus H. Fix, Sarah M. Fix, James E. Fix, Laura Fix, Mary J. Wood, Ivy Olah Wood, Jessie E. Wood, Cyrus L. Fix, Sarah Myrtle Bauman, Charles Benjamin Bauman, Leslie Raymer Bauman, Viola May Bauman, Delila Jane Bush, Gracie Helen Bush, William H. Bush, Delila J. Weis, John H. Bush, Lucy Mitchell Laurence Mitchell, Lulu Mitchell, Wayne Mitchell, Isador Bush, Nora Navarre, Jesse Fix, Susan E. Fix, Phillip Fix, Clara Fix, Robert Fix, Gertie Fix, William H. Fultz, Emma Fultz, Louis A. Fultz, Goldie E. Fultz, Essie H. Fultz and Katie F. Fultz as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,



Registered.

Commissioner in Charge.

X C R 1026

COPY

Muskogee, Indian Territory, November 16, 1902.

Jesse Fix,

Canadian, Indian Territory.

Dear Sir:

You are hereby notified that on the 5th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Cyrus H. Fix, et al., of which decision you were advised by registered mail on the 20th day of June, 1902.

Respectfully,

SIGNED.

Tamm Dixby.

Acting Chairman.

M C R 1024

Muskogee, Indian Territory, February 14, 1903.

Jesse Fix,
Shawnee, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, in which you state that if the Commission will place the names of yourself and family, six in number, on the Choctaw roll, you will pay one hundred and fifty dollars.

In reply you are informed that on November 5, 1902, the Secretary of the Interior approved the decision of the Commission refusing the application made by you for the identification of yourself and minor children as Mississippi Choctaws, and for the identification of your wife as an intermarried Mississippi Choctaw, and on November 15, 1902, you were duly notified of such departmental action. The Commission considers this case closed.

Respectfully,

Acting Chairman.

M.C.R.1024

Muskogee, Indian Territory, May 17, 1904.

Clara Nichols,

Mocker, Oklahoma.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 7th instant, relative to the decision of the Commission refusing the application made by Jesse Fix, your father, for the identification of himself and minor children as Mississippi Choctaws. You ask if allotments are being made, and if so, if you will be allowed to select your land. You also ask to be advised if there is any further evidence needed in your case.

In reply to your letter you are informed that on November 5, 1902, the Secretary of the Interior approved the decision of the Commission refusing the application made by Jesse Fix for the identification of himself and minor children, Philip, Clara, Robert and Gertie Fix, as Mississippi Choctaws, of which Departmental action Jesse Fix was duly notified on November 15, 1902.

The Commission now considers this case closed, and it is not believed that you are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Com. in Charge
Choctaw.

M C R 1024

Muskogee, Indian Territory, January 31, 1905.

William M. Taylor,
Attorney at Law,
Shawnee, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, asking to be advised the status of the Mississippi Choctaw case of Jesse Fix, et al.

In reply you are informed that on November 5, 1902, the Secretary of the Interior approved the decision of the Commission rendered June 10, 1902, refusing the applications of the several persons included in the consolidated Mississippi Choctaw case of Cyrus H. Fix, et al., of which the application of Jesse Fix, et al. is a part, and of which departmental action the applicants were duly notified on November 15, 1902.

The Commission now considers this case closed and it is not believed that any of the applicants therein are in any manner entitled to possessory rights of the tribal property of the Choctaws and Chickasaws.

Respectfully,

Chairman.

No. 1024

For Identification as a Mississippi Choctaw.

Date NOV -9 1900

Name Jesse Fix.

Age 47 Blood 1/4

Post Office, Canadian, S. D.

Father: William Fix - dead

Mother: Meliah Fix - dead.

Claims through no other.

WIFE: Susan E. Fix. (1/4) 36.

FATHER: David Fultz - dead

MOTHER: Elizabeth Fultz - dead.

Children:

Philip Fix 20.

Clara " 19.

Robert " 15.

Gertie " 5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 9 1900



ACTING CHAIRMAN.

M.C.R 1056 - 1024

G.O. No. 10783-1900.

Mrs. Maria Pierce, Council
Grove, Kansas.

M.C. 1056. Cyrus H. Fix, 59
years old, P. O. Canadian, I.T.
appeared before Commission
at Muskogee and applied for
identification of himself and
three children, Sarah M. Fix,
James E. and Laura Fix. No
judgment has yet been rendered
in this case. On Dec. 6, 1900
letter from Mrs. Marie Pierce
and Mrs. Delilia Burk was filed
with this case, copy of which
letter is inclosed herewith.

M.C. 1024. Jesse Fix, 47 years
old, Canadian, I.T. appeared be-
fore Commission at Muskogee Nov-
ember 9, and applied for identi-
fication of himself and four
children, Philip, Clara, Robert
and Gertie Fix, and for his wife,
Susan E. Fix whom he claims
to be one sixteenth Choc-
taw. No judgment has been
rendered in this case.

Jan. 4, 1901.

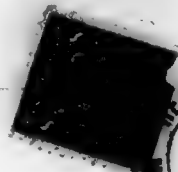
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Jesse Fix

Canadian

9062

J.F.



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

1024

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

AUG 1 1902

[Signature]
ACTING CHAIRMAN.

REGISTERED
JUL
25
1902
WICKOGE, IND. TER.

Choc. MCR 1025

MCR 1025

REFUSED

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M. C. R. 660

REFUSED

M. C. R-1025.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as
a Mississippi Choctaw of Mary C. Braden. Mary C. Braden being
duly sworn by the Commission testified as follows:

Examination by the Commission.

Q What is your name? A Mary C. Braden.
Q What is your age? A 62.
Q What is your post-office address? A 1313 Congress Avenue
Houston, Texas.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided there? A I was born in Texas
in 1839.
Q Have made your residence there ever since then? A Yes
sir.
Q Ever maintained a residence in the Indian Territory? A No
sir.
Q Ever maintained a residence in the state of Mississippi?
A No sir.
Q Are you making application for identification as a Missis-
sippi Choctaw? A Yes sir.
Q How much Choctaw blood do you claim? A Why, my mother
was a half Choctaw.
Q What do you claim? A One fourth.
Q What is your father's name? A W. C. Collinsworth.
Q Is your father living? A My father's dead.
Q What is your mother's name? A Mary C. Collinsworth.
Q Is your mother living? A My mother's dead.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q How long has your mother been dead? A I believe about
32 years.
Q Was your mother during his life time ever enrolled by the
Choctaw tribal authorities as a citizen of the Choctaw Nation?
A No.
Q Was she ever recognized by the Choctaw tribal authorities
as a citizen of the Choctaw nation? A I don't know anything
about those things.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in
the possession of the Commission examined and the
name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their National Council as a citizen of
that Nation? A No sir.
Q Did you or did any one in your behalf in 1895 make applica-
tion to this Commission for citizenship in the Choctaw Nation
under the Act of June 10th, 1895? A No sir.

Mary G. Breaden 2

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1898, examined and the name of the applicant does not appear thereon.

Q. Have you ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A. No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

Q. Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A. No sir.

Q. This is your first application of any description? A. My first application of any description.

Q. You are now making application for identification as a Mississippi Choctaw? A. Yes sir.

Q. Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A. Because my mother always told me that I was part Choctaw. That she was Choctaw descent.

Q. Are you making your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A. I am.

Q. Did you or any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A. I don't know what my ancestors done.

Q. Have you ever read the fourteenth article of the treaty of 1830? A. I don't know whether I have or not. I have read so many things.

Q. Do you know the provisions of that article under which you are making your claim? A. I do not.

Q. I will read it to you. The treaty of 1830 was made between the Choctaws and the United States and provided for the removal of the Choctaw Indians from the state of Mississippi to the present Indian Territory. A. Yes sir, I know that.

Q. It is provided in the fourteenth article of that treaty that if any of the Indians did not want to remove to the Indian Territory that they had the privilege of remaining in Mississippi. The fourteenth article of the treaty of 1830: "Each Choctaw head of a family, being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent, within six months from the ratification of this treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey, in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to each child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States, for five years after the ratification of this Treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this Article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity." Are you making your claim under that provision of that treaty? A. I don't really understand it. I make a claim that I am part Choctaw. Well, my mother was part Choctaw and was a resident of Mississippi.

Q. The only authority vested in this Commission to hear and determine the rights of applicants for identification as Mississippi Choctaws is contained in the 21st section of the act of Congress of June 28th, 1898, which is the Curtis Bill, and provides: "That said

Mary C. Braden 3

Commission shall have authority to determine the rights of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." What I have just read to you is the fourteenth article of the treaty of 1830 and it is the only provision of any treaty under which this Commission can hear and determine any application for identification as Mississippi Choctaws. Do you make your claim under that provision? A I make my claim strictly under that provision.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A I don't know anything about my ancestors.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time this treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of the Choctaw tribe? A I can't tell you anything about it but my mother's family and as far as that is concerned my mother was a Bonner and resided in Mississippi. Mary Caroline Bonner.

Q Was she a resident of the state of Mississippi? A Yes sir.

Q Where in Mississippi? A I don't exactly know where.

Q Do you know anything about her parents? A I wasn't born in Mississippi and I don't know much about them.

Q Do you know anything about your mother's parents? A I never saw them. I know my grand father Bonner was Willis Bonner.

Q Was he a recognized member of the Choctaw tribe of Indians? A I can't tell you anything about that.

Q Do you know of any of your ancestors were recognized members of the Choctaw tribe of Indians? A I don't know anything about that. I have given you about all the information I have.

Q You are making your claim to identification as a Mississippi Choctaw then on the belief that your mother had Choctaw blood in her veins? A Well, yes sir.

Q You have no knowledge whether any of your ancestors have ever complied with the provisions of the fourteenth article of the treaty of 1830? A I know nothing about my ancestors because I was not in Mississippi and was not acquainted with any of them.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know anything about that.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A I am a widow.

Q Have you any children under 21 years of age and unmarried? A No sir.

Q You are making this application solely on your own behalf? A Solely on my own behalf.

Q Is there any additional statement you desire to make in support of your application? A Nothing at all.

Q Is there any written evidence you desire to offer the Commission for consideration in support of this application? A Nothing at all that I know.

Attorney for applicant asks that the evidence of W. B. Collinsworth that was introduced here on the 8th of September, be considered in this case.

The Commission cannot undertake to consider affidavits or evidence submitted in support of the application of any party for identification as Mississippi Choctaws as bearing upon the claim of any other applicant. If the evidence that Mrs. Braden wishes to present to the Commission has been filed in support of another application it will be necessary for her to have certified copies of that made, or other affidavits.

Mary C. Braden 4

Attorney for Applicant asks time to file copy of testimony mentioned above or another original.

Permission is granted the applicant to file written evidence in support of her application provided the same is offered for filing within ten days from the date hereof.

The decision of the Commission as to your application for identification as a Mississippi Choctaw, will be mailed to you in writing in the near future to your present post office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes that she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 12th day of November 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, September 12, 1901.

Mrs. M. C. Braden,
#1309 Dallas Avenue,
Houston, Texas.

Dear Madame:-

Receipt is hereby acknowledged of your letter of August 31st, in which you ask the status of your case, and state that it is now nearly a year since you applied for identification as a Mississippi Choctaw, and that you have not heard anything in regard to same.

It appears from our records that on November 12th, 1900, Mary C. Braden applied for identification as a Mississippi Choctaw. No action has yet been taken in regard to this application, or any decision rendered. When such decision is rendered, a copy of the same, stating fully therein the reason for any action taken by the Commission, will be mailed to you at your present Post Office address.

Yours truly,

M.C.1025.

Muskogee, Indian Territory, December 12, 1901.

M. C. Braden,
Houston, Texas,

Dear Madam:

Your letter of September 17, addressed to the Secretary of the Interior, has been referred to this Commission for reply. You ask to be advised if the names of Mrs. M. C. Braden, Mrs. Itasca Ross, Mrs. Tommie Hill and Carrie Reed and their children are enrolled.

In reply to your letter you are advised that it appears from our records that on November 12, 1900, at Muskogee, Indian Territory, Mary G. Braden and Tommie Hill appeared before the Commission and applied for identification as Mississippi Choctaws; on the same date Itasca Ross applied for identification for herself and her two minor children as Mississippi Choctaws. It does not appear from our records that any person by the name of Carrie Reed has appeared as an applicant for identification as a Mississippi Choctaw. It does appear, however, that on the same date, November 12, 1900, Mary Reed, a sister of the applicants above named, appeared before the Commission at Muskogee, Indian Territory, and applied for identification for herself and her minor children as Mississippi Choctaws.

M.C.B. 2

No decision has yet been reached or an opinion rendered relative to the rights of these applicants to identification as Mississippi Choctaws. When such decision is reached, the applicants will be notified of any action taken by the Commission.

The legislation vesting the Commission with authority to determine the identity of Mississippi Choctaws empowers the said Commission to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the fourteenth article of the treaty of 1830. The fourteenth article of the treaty of 1830 provides that:

"Each Choctaw head of a family, being desirous to remain and become a citizen of the states, shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty. And he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey. In like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be over ten years of age, to adjoin the location of the parent. If they reside upon said lands for five years after the ratification of this treaty, in that event a grant in fee simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

Under this article it would appear that Choctaw Indians, even though identified by the Commission under the above article, would not be entitled to any distributions of money which might be made to citizens of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 12, 1901.

M. C. Braden,

Houston, Texas,

Dear Madam:

Your letter of September 17, addressed to the Secretary of the Interior, has been referred to this Commission for consideration and appropriate action. In your communication you ask to be advised if Mrs. M. C. Braden, Mrs. Tommie Hill, Mrs. Itasca Ross and Mrs. Carrie Reed and their children have been enrolled. You also desire information relative to the money to be distributed to Mississippi Choctaws, and also whether the Collinsworths have been enrolled.

You are informed that it appears from our records that on November 12, 1900, at Muskogee, Indian Territory, Mary C. Braden and Tommie Hill appeared before this Commission as applicants for identification as Mississippi Choctaws; on the same date Itasca Ross also made personal application for the identification of herself and two minor children as Mississippi Choctaws. It does not appear from our records that any person by the name of Carrie Reed has ever made such application; but on November 12, 1900, at Muskogee, Indian Territory, Mary Reed, the daughter of Mary C. Braden, made personal ap-

M.C.B. 2

plication for the identification of herself and and her minor children as Mississippi Choctaws. No decision has yet been reached or opinion rendered relative to the rights of these applicants to identification as Mississippi Choctaws, their present status being that of claimants whose rights have in no manner been determined. When such a decision is reached the several applicants will be notified of the action taken by the Commission.

Relative to your inquiry as to whether the "Collinsworths" have been enrolled, you are informed that it appears from our records that a number of persons by this name have made application to the Commission for identification as Mississippi Choctaws, but it is impossible for us to render you any information unless the different members of the family are specified.

The legislation vesting the Commission with authority to determine the identity of so-called Mississippi Choctaws, empowers the Commission to determine the identity of those Choctaw Indians claiming rights in the Choctaw lands under the fourteenth article of the treaty of 1830. Article fourteen of the treaty of 1830 provides that:

"Each Choctaw head of a family, being desirous to remain and become a citizen of the states, shall be permitted to do so by signifying his intention to the agent within six months from the ratification of this treaty. And he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land to be bounded by sectional lines of survey. In like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age and a quarter section to such child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands for five years after the ratification of this treaty, in that event a grant in fee

M.C.B. 3

simple shall issue. Said reservation shall include the present improvement of the head of the family or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity."

It will be noted that the last clause in this article grants to those persons taking advantage of its provisions the privileges of Choctaw citizenship in the event that they should remove, but debars them from any right to participate in the annuities of the Choctaw tribe.

Yours truly,



Commissioner in Charge.

- COPY.

M.C.R. 1025.

Muskogee, Indian Territory, July 19, 1902.

Mary C. Braden,

1313 Congress Avenue, Houston, Texas.

Dear Madam:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	M.C.R.	660
George W. Collinsworth, et al.,	"	662
Willis D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary C. Braden,	"	1025
Mary Reed, et al.,	"	1026
Isaac Ross, et al.,	"	1027
Tommie Hill,	"	1028
Bonnie Baugh,	"	1029
James Scott Bralox, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Kerilda B. DeWitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

M C B 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna E. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel E. Foster, James M. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lockie Reed, Itasca Ross, Eva Ross, Meselle Ross, Tommie Hill, Bonnie Baugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tommie) Dunning, Herilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Herilda B. DeWitt, for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

F. I. Needles.

Commissioner in Charge.

Registered.

M.C.R. 1025.

COPY.

Muskogee, Indian Territory, October 11, 1902.

Mary C. Braden,
1313 Congress Ave,
Houston, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

(SIGNED)

T. E. J. Hodges

Commissioner in Charge.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKINRIDGE
ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1025.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES Muskogee, Indian Territory, October 11, 1902.

Mary C. Braden,
1313 Congress Ave.,
Houston, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,


Commissioner in Charge.

No. 1025

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name Mary C. Braden.

Age 62. Blood 1/4.

Post Office, Houston, Texas.

Father: W. C. Collingsworth - dead.

Mother: Mary C. Collingsworth - dead

Claims through mother.

Children:

#1313 Congress Ave.
Houston,
Texas

NOV 12 1900

NOV 12 1900



Department of the Interior
Commission to the Five Civilized Tribes
MUSKOGEE, IND. TERR.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

10201
RETURNED TO WRITER.
UNCL-114
HOUSTON, TEX.
P. O.
I.O.

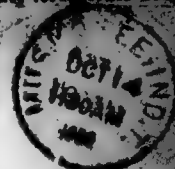
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Department of the
Commission to the Five Civil
MUSKOGEE, IND. TE
OFFICIAL BUSINESS
Penalty for private use, \$



Mar 10 1892
Congress
Houston, Tex.

1025



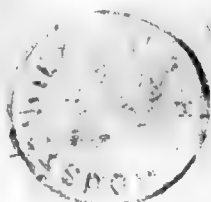
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 22 1902

A handwritten signature in dark ink, likely of the Acting Chairman.

ACTING CHAIRMAN.



Choc. MCR 1026

Mary Reed

see MCR 660

MCR 1026

REFUSED

DECISION RENDERED.

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 660

REFUSED

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Mary Reed and her two minor children. Mary
Reed being first duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A Mary Reed.
Q What is your age? A 33.
Q What is your post-office address? A San Antonio, Texas.
1607 Avenue B.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided there? A All my life.
Q Born there? A Yes sir.
Q Never have lived any where else? A No sir.
Q Never had a residence in the Indian Territory? A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A William T. Braden.
Q Is he living? A No sir, he's dead.
Q What is your mother's name? A Mary C. Braden.
Q Is your mother living? A She is.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw nation? A I do not know.
Q Has she ever been recognized as a citizen of the Choctaw
Nation by the tribal authorities of that nation? A I do not know.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A I don't know, sir.
Q Have you any reason to believe that it is? A I don't
know that.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name of
the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw nation? A I have not.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their national council as a citizen of
the Choctaw nation? A I don't know.
Q You would know whether they had or not? A Yes sir.
Q Have they? A No sir.
Q Did you or did any one in your behalf in 1896 make appli-
cation to this Commission for citizenship in the Choctaw nation
under the act of Congress of June 10th, 1896? A No sir.

record of applications for citizenship in the
Choctaw nation made to this Commission in 1896,
examined and the name of the applicant does not
appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts in the Indian

Mary Reed 2

Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A I have always been taught that I was part Choctaw. My grand mother was a Choctaw Indian.

Q You are making your application now for identification as a Mississippi Choctaw. That is correct isn't it? A Yes sir.

Q The only authority vested in this Commission to hear or determine the rights of applicants to identification as Mississippi Choctaws is contained in the act of Congress of June 28th, 1898, which provides, "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty between the United States and the Choctaw Nation concluded September 27th, 1830." You heard that read a little while ago? A Yes sir.

Q Do you make your claim as a beneficiary under the provisions of that article of that treaty? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I do not know.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A Mary Bonner.

Q Have you evidence showing that Mary Bonner was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830?

A I have not.

Q What relation was Mary Bonner to you? A She was my grand mother.

Q You are a direct lineal descendant of hers? A Yes sir.

Q Where did she die? A In Texas.

Q Did she remove from Mississippi to Texas? A Yes sir.

Q When? A About in thirty six or thirty seven.

Q Where did she come from? A Mississippi.

Q From what part of Mississippi? A I don't know.

Q She claimed that she was a Choctaw Indian? A Yes sir.

Q What was her purpose in moving from Mississippi to Texas?

A I could not tell you.

Q The Choctaw Indians in Mississippi were removed from Mississippi from 1833 to 1837, were removed from there to the Choctaw Nation in the Indian Territory. Do you know why your grandmother if she was a Choctaw Indian removed to Texas? A I don't know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A James D. Reed.

Q He is a white man? A Yes sir.

Mary Reed 3

Q Where did you marry him? A In San Antonio, Texas.
Q Making any claim for your husband? A No sir.
Q Did your husband ever make any claim as an Indian? A No
sir.
Q Ever been recognized as an Indian? A No sir.
Q When were you married to him? A In 1883.
Q Have you any children? A Two.
Q Do you wish to make application for your children? A I do
Q What are their names and ages? A Blanche Reed.
Q How old is she? A 16 last January.
Q The next one? A Lockie.
Q How old? A 11, the 5th of last September.
Q Is that all the children you have? A Yes sir.
Q You are the mother of both these children? A Yes sir.
Q James D. Reed is the father? A Yes sir.
Q They both live with you at your home? A Yes sir.
Q Their claim to identification is the same as yours? A Yes
sir.
Q Is there any additional statement you desire to make in
support of this application? A No sir.
Q Is there any written evidence you wish to file for the
consideration of the Commission in support of this application?

Attorney for applicant asks ten days in which to file
written evidence in support of this application.

Permission is granted the applicant to file written
evidence in support of this application provided
the same is offered for filing within ten days from
the date hereof.

your
The decision of the Commission as to ~~the~~ application
and the application you make on behalf of your two minor children
for identification as Mississippi Choctaws, will be mailed to you in
writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath
states that as stenographer to the Commission to the Five Civilized
Tribes she reported in full all proceedings had in the above entit-
led cause on the 12th day of November, 1900, and that the above and
foregoing is a full, true and correct transcript of her stenographic
notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 12th day of November, 1900.

Guy L. Emerson
Notary Public.

COPY.

M.C.R. 1026.

Muskogee, Indian Territory, July 19, 1908.

Mary Reed,

1607 Avenue "B", San Antonio, Texas.

Dear Madam:

You are hereby advised that on the 19th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	M.C.R.	660
George W. Collinsworth, et al.,	"	662
Willis D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary C. Braden,	"	1025
Mary Reed, et al.,	"	1026
Itasca Ross, et al.,	"	1027
Tommie Hill,	"	1028
Rennie Raugh,	"	1029
James Scott Bralcy, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. DeWitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 20, 1906 (34 Stat. 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

M R 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna E. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Jessie O. Foster, Ethel E. Foster, James M. Foster, Lena Ruth Foster, Mary O. Braden, Mary Reed, Blanche Reed, Lookie Reed, Itasca Ross, Eva Ross, Meselle Ross, Tommie Hill, Bonnie Baugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

COPY. M.O.R. 1026

Madame, Indian Territory, October 11, 1902.

Mary Reed,
1607 Avenue "E",
East Antonio, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

(SIGNED)

I. B. Needles,
Commissioner in Charge.

No. 1026

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name Mary Reed.

Age 33. Blood 1/8

Post Office, San Antonio, Texas.

Father: William T. Braden - dead.

Mother: Mary C. Braden - ✓

Claims through mother.

HUSBAND:

James W. Reed.

(No claim for husband).

Children:

Blanche Reed. 16.

Lockie " 11 1/2

#1607 Avenue B
San Antonio,
Texas.

C

NOV 12 1900

Miss Mary Reed

Out of the City
3317
2179
14
SECOND NOTICE
JUL 28 1902
Unclaimed.
11

Mary Reed,
1607 Avenue "B",
San Antonio,
Texas.

MUSKOGEE, IND.
JUL 28
1130AM
1902

REGISTERED
JUL 28
1902
MUSKOGEE, IND.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

674
RED
AUG 25 1902
SAN ANTONIO, TEXAS



Choc. MCR 1027

Itasca Ross

See MCR 660

MCR 1027

Stacy Ross
REFUSED

DECISION RENDERED

JUL 19 1902

RECORD FORWARDED DEPARTMENT

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS

2

REFER TO M. C. R. 660

REFUSED

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Itasca Ross and her two minor children.
Itasca Ross being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

- Q What is your name? A Itasca Ross.
Q What is your age? A 28.
Q What is your post-office address? A Houston, Texas.
Q Your street address? A 806 Walker Avenue.
Q Are you a resident of the state of Texas? A I am.
Q How long have you resided there? A 28 years.
Q Born there? A Yes sir.
Q Ever resided in Mississippi? A No sir.
Q Ever resided in the Indian Territory? A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A William T. Braden.
Q Is your father living? A No sir, he's dead.
Q What is your mother's name? A Mary C. Braden.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw Nation? A Not that I know of.
Q Your mother ever recognized by the Choctaw tribal authori-
ties as a citizen of that nation? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw Nation
A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission, examined and the name
of the applicant is not found thereon.

- Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw nation? A No sir, I
have not.

- Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their national Council as a
citizen of the Choctaw Nation? A I have not.

- Q Did you or did any one in your behalf in 1896 make appli-
cation to this Commission for citizenship in the Choctaw nation
under the act of Congress of June 10th, 1896? A I do not know.

Record of applications for citizenship in the Choctaw
Nation made to this Commission in 1896 examined and
the name of this applicant does not appear thereon.

- Q You know whether you made application or not don't you?
A I never made any.
Q Never authorized any one to make an application for you?
A No sir.
Q Have you any reason to believe any one did? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Court for the Indian terri-
tory on appeal from the decision of the Choctaw tribal authorities
or the decision of this Commission? A No sir.

Itasca Ross 2

Record of parties admitted to citizenship in the
Choctaw nation by judgment of United States Courts
examined and the name of the applicant does not
appear thereon.

Q Have you ever prior to this time made any application to
either the tribal authorities of the Choctaw nation to the authori-
ties of the United States for either citizenship or enrollment as a
Choctaw? A I have not.

Q This is your first application of any description? A It
is.

Q You are now making application for identification as a
Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified
by this Commission as a Choctaw Indian entitled to rights in the
Choctaw lands under the provisions of the 14th article of the
treaty of 1830? A Because I have been told that I was part
Choctaw.

Q Are you making your claim under the provisions of this 14th
article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions
of the fourteenth article of the treaty of 1830? A I don't know.

Q What was the name of your ancestor who resided in Mississippi
in 1830 at the time the treaty was entered into between the United
States and the Choctaw Indians and who was at that time a recog-
nized member of that tribe? A Mary Bonner.

Q What relation was Mary Bonner to you? A I am her grand
child.

Q She was your grand mother? A Yes sir.

Q Was Mary Bonner a recognized member of the Choctaw tribe of
Indians in Mississippi in 1830? A I do not know.

Q You are a direct lineal descendant of hers? A I am.

Q Have you any evidence showing that Mary Bonner was ever a
recognized member of the Choctaw tribe of Indians? A No sir.

Q How long has she been dead? A I don't know.

Q Do you know where she died? A She died in Texas.

Q When did she come to Texas? A I believe about 66 or 67
years ago.

Q That would be about 33 or 34 wouldn't it? A Yes sir.

Q Did she come from Mississippi? A Yes sir.

Q Do you know anything about your grand-mother's residence
in Mississippi? A I do not.

Q Do you know anything of her being recognized by the
Choctaw tribe of Indians? A I do not.

Q Did any of your ancestors through whom you might claim this
right to identification ever receive or claim any land in Mississ-
ippi as beneficiaries under the provisions of the 14th article of
the treaty of 1830? A I do not know.

Q Do you make any claim by reason of any other treaty
stipulation entered into between the United States and the Choctaw
Indians? A I do not.

Q Are you married? A Yes sir, I am.

Q What is your husband's name? A Leicester E. Ross.

Q Is he living? A He is.

Q Are you making any claim for your husband? A No sir.

Q Is he a white man? A Yes sir.

Q Has he ever made any claim to Indian citizenship? A No
sir.

Q Has he ever been recognized as an Indian? A He has not.

Q Where did you marry him? A Houston.

Q When? A Five years ago.

Q Have you any children? A Two.

Q What are their names and ages? A Eva Ross, four.

Q The next one? A Moselle Ross.

Q How old is Moselle? A Two.

Q Is that all? A That's all.

XXXXXXXXXXXXXXXXXXXX

Q How old is Moselle? A Two.

Q Is that all? A That's all.

Itasca Ross 3

Q You are the mother of these two children? A Yes sir.
Q Leicester S. Ross is the father of them? A Yes sir.
Q These two children live with you at your home? A They do.
Q You and your husband live together? A We do.
Q Is there any additional statement you desire to make in support of this application? A None at all.
Q Any written evidence you desire to offer the Commission for consideration in support of this application? A No sir none at all.

Permission is granted the applicant to file written evidence in support of this application provided the same is offered for filing within ten days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 13th day of November, 1900.

Guy L. Emerson
Notary Public.

COPY.

M.C.R. 1027.

Muskogee, Indian Territory, July 19, 1902.

Itasca Ross,

806 Walker Avenue, Houston, Texas.

Dear Madam:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	M.C.R.	860
George W. Collinsworth, et al.,	"	862
Willie D. Collinsworth, et al.,	"	863
Mary A. Foster, et al.,	"	864
Mary C. Braden,	"	1025
Mary Reed, et al.,	"	1026
Itasca Ross, et al.,	"	1027
Tommie Hill,	"	1028
Bonnie Laugh,	"	1029
James Scott Bralcy, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. DeWitt, et al.,	"	8161

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James K. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Peralia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna N. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Arcon Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel N. Foster, James K. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lockie Reed, Itasca Ross, Eva Ross, Monelle Ross, Tommie Hill, Bonnie Raugh, James Scott Braley, Nila Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has in this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

COPY. M.C.R. 1027.

Muskogee, Indian Territory, October 11, 1902.

Itasca Ross,
7906 Walker Avenue,
Houston, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

SIGNED:

E. D. Goddard

Commissioner in Charge.

No. 1027

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name *Asca Ross*

Age *28* Blood *1/8*

Post Office, *Houston, Texas.*

Father: *William O. Braden - dead.*

Mother: *Mary C. Braden - ✓*

Claims through mother.

HUSBAND

Leicester S. Ross
(No claim for husband).

Children:

Eva Ross *4.*

Maxelle *"* *2.*

**806 Walker Ave.*
Houston,
Texas.

NOV 12 1900

Choc. MCR 1028

Tommie Hill

see MCR 660

MCR 1028

REFUSED

DECISION RENDERED.

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 660

REFUSED

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as a
Mississippi Choctaw of Tommie Hill. Tommie Hill being duly sworn
by the Commission testified as follows:

Examination by the Commission.

Q What is your name? A Tommie Hill.
Q How old are you? A 24.
Q What is your post-office address? A Houston, Texas.
Q What is your street number? A 1309 Dallas Avenue.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided there? A All my life.
Q Born there? A Yes sir.
Q Never have resided in the Indian Territory? A No sir.
Q Nor in the state of Mississippi? A No sir.
Q How much Choctaw blood do you claim? A About an eighth.
Q What is your father's name? A William T. Braden.
Q Is he living? A No sir.
Q What is your mother's name? A Mary C. Braden.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A Through my mother.
Q Your mother's name on any of the tribal rolls of the
Choctaw Nation? A No sir, not that I know of.
Q Has she ever been recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A I don't know.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

~~Record~~ roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant is not found therein.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw nation? A I never
have before.
Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their national council as a
citizen of the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A I don't know.
Q You would know whether you had or not? A I did not but
I don't know whether any one else did or not.
Q You never authorized any one to make application for you?
A No sir.
Q You have no reason to believe one was made? A No sir.

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896
examined and the name of the applicant does not
appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw tribal

Tommie Hill 2

authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is the first application of any description you have made? A The first.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I have always been taught that I was part Choctaw, Mississippi Choctaw.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A I am.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A I can't tell you.

Q Did you ever read the fourteenth article of the treaty? A No.

Q You have heard it read a little while ago? A Yes sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who - A Mary Bonner.

Q Was Mary Bonner a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I can't tell you.

Q What relation are you to Mary Bonner? A She was my grand mother.

Q You are a direct lineal descendant of hers? A Yes sir.

Q Mary Bonner was a citizen of the state of Mississippi? A Yes sir.

Q Do you know when she left there? A No I do not. I think in 1836 or 1837.

Q Came to Texas in 1837? A Something like that.

Q Resided in Texas from then until the time of her death?

A I believe she did.

Q Did any of your ancestors through whom you might claim this right to identification ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir

Q Are you married? A Yes sir.

Q What is your husband's name? A John W. Hill

Q Making any claim for him? A No sir.

Q Is he a white man? A I think he is.

Q Never made any claim to Indian citizenship? A No indeed.

Q Have you any children? A No sir.

Q Making any application for anyone besides yourself? A No one but myself.

Q Is there any additional statement you desire to make in support of your application? A None.

Q Any written evidence you desire to offer the Commission for consideration in support of your application? A No.

Permission is granted applicant to file written evidence in support of this application provided the same is offered for filing within ten days from the date hereof.

Tennis Hill 3

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future to your present post-office address.

Myra Young, being first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 13th day of November, 1900.

Guy L. V. Emerson
Notary Public.

COPY.

M.C.R. 1028.

Muskogee, Indian Territory, July 19, 1902.

Tomie Hill,

1308 Dallas Avenue, Houston, Texas.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	M.C.R.	660
George W. Collinsworth, et al.,	"	662
Willis D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary C. Braden,	"	1025
Mary Reed, et al.,	"	1026
Itasca Ross, et al.,	"	1027
Tomie Hill,	"	1028
Bennie Raugh,	"	1029
James Scott Bralley, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. DeWitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

T H 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna E. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel E. Foster, James K. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lookie Reed, Itasca Ross, Eva Ross, Roselle Ross, Tommie Hill, Bonnie Daugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

Commissioner in Charge.

COPY. M.C.R. 1028

Muskogee, Indian Territory, October 11, 1902.

Tommy Hill,
#1309 Dallas Avenue,
Houston, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

(SIGNED).

T. B. Needles.

Commissioner in Charge.

No. 1028

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name *Tomnie Hill*

Age *24* Blood *1/8*

Post Office, *Houston, Texas.*

Father: *William J. Braden - dead.*

Mother: *Mary C. Braden - ✓*

Claims through *mother.*

HUSBAND:

John W. Hill
(No claim for husband).

Children:

#1309 Dallas Ave.
Houston,
Texas.

BES.

NOV 12 1900

Choc. MCR 1029

Bonnie Baugh

See MCR 660

MCR 1029

Thonme. Gough

REFUSED
DECISION RENDERED.

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

JUL 19 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO M.C.R. 660

REFUSED

M. C. R-1029.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as a Mississippi Choctaw of Bonnie Baugh, a minor represented by her father Thomas Baugh. Thomas Baugh being duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Bonnie Baugh.
Q How old are you? A 40 years.
Q What is your post-office address? A Flatonia, Texas.
Q Are you making any claim for yourself for identification as a Mississippi Choctaw? A No sir.
Q Your sole purpose is to make application for your minor child, Bonnie Baugh? A Yes sir.
Q How old is Bonnie Baugh? A 15 years old.
Q What is her post-office address? A Flatonia Texas.
Q Does she live with you? A Yes sir.
Q Has she always resided in the state of Texas? A Yes sir.
Q How much Choctaw blood do you claim for her? A One sixteenth.
Q You are the father of Bonnie Baugh are you? A Yes sir.
Q Who is the mother of Bonnie Baugh? A Jean Elizabeth Collinsworth.
Q Her name was Baugh? A Yes sir, after I married her.
Q Is she living? A No sir.
Q You claim your daughter's blood through her mother? A Yes sir.
Q Was your wife's name during her life time ever on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Was she ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Is the name of your daughter, Bonnie Baugh, on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of the citizens of the Choctaw Nation in the possession of the Commission examined and the name of ~~the~~ Bonnie Baugh does not appear thereon.

Q Has application ever been made on her behalf to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Has your daughter ever been recognized by the Choctaw tribal authorities by any official act of their national council as a citizen of the Choctaw Nation? A No sir.
Q Was an application made for her in 1896 to this Commission for citizenship in the Choctaw nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896 examined and the name of Bonnie Baugh does not appear thereon.

Q Has she ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, or the decision of this Commission? A No sir.

Thomas Baugh 2

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Courts examined and the name of Bonnie Baugh does
not appear thereon.

Q This is the first application that has ever been made on
behalf of this child? A Yes sir.

Q This child lives with you? A Yes sir.

Q You have the custody of this child? A Yes sir.

Q Application is now being made for her identification as a
Mississippi Choctaw? A Yes sir.

Q What are the grounds upon which you claim the rights of this
child to share in the lands of the Choctaw Nation as a beneficiary
under the provisions of the fourteenth article of the treaty of
1830? A Through her mother's side, and her grand parents on her
mother's side.

Q What were they? A They claimed to be part Choctaw,
Mississippi Choctaw.

Q Were any of the ancestors of this child ever recognized
members of the Choctaw tribe of Indians in Mississippi? A Not
that I know of.

Q The claim that is being made on behalf of this child is
under the provisions of the 14th article of the treaty of 1830?

Q Yes sir.

Q Did any of her ancestors ever comply with the provisions
of that article of that treaty? A I don't know sir.

Q What was the name of this child's ancestor who lived in
Mississippi in 1830 at the time this treaty was entered into between
the United States and the Choctaw Indians and who was a recognized
member of that tribe? A I don't know, sir.

Q Did any of the ancestors of this child ever receive or
claim any land in Mississippi as beneficiaries under the provisions
of the fourteenth article of the treaty of 1830? A Not that I
know of.

Q Are you making any claim on her behalf by reason of any
other treaty stipulation entered into between the United States
and the Choctaw Indians? A No sir.

Q Is there any additional statement you desire to make in
support of the application you make in behalf of this child? A
Not that I know of.

Q Any written evidence that you desire to offer the Commis-
sion? A I have my marriage certificate, that is all.

There is offered in evidence certified copy of the
marriage license and certificate between Thomas
Baugh and Miss Joan Collinsworth, marked exhibit A
filed and made a part of the records in this case.

Permission is granted the applicant to file
additional evidence in support of this application
provided the same is filed within ten days from the
date hereof.

The decision of the Commission as to the application made
by you on behalf of your minor child, Bonnie Baugh, ~~is~~ for
identification as a Mississippi Choctaw will be mailed to you in
writing in the near future to your present post-office address.

Myra Young having been first duly sworn, upon her oath
states that as stenographer to the Commission to the Five Civilized
Tribes, she reported in full all proceedings had in the above entitled
cause on the 12th day of November, 1900, and that the above and fore-
going is a full, true and correct transcript of her stenographic
notes of said proceedings on said date.

Subscribed and sworn to before me this 13th day of November, 1900.

Myra Young
Guy L. Emerson
Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

Additional testimony in the matter of the application for
identification as a Mississippi Choctaw of Bonnie Baugh.

James M. Collinsworth being duly sworn by the Commission,
testified as follows:

Examination by the Commission.

- Q What is your name? A James M. Collinsworth.
- Q What is your age? A Sixty-five.
- Q What is your post-office address? A Lockhart, Caldwell
County, Texas.
- Q You are the grand-father of Bonnie Baugh for whom applica-
tion is made for identification as a Mississippi Choctaw by her
father, Thomas Baugh, before the Commission today? A Yes sir.
- Q What do you know about this child's ancestors? A Well,
her mother was a daughter of mine and her mother was a Bonner, a
Mississippi Choctaw. Grand mother I should say. My mother.
- Q This child is the great grand daughter of Mary Bonner?
A Yes sir.
- Q Was Mary Bonner a recognized member of the Choctaw tribe
of Indians in Mississippi in 1830? A I don't know whether she
was or not.
- Q What do you know about Mary Bonner's rights to Choctaw
citizenship? A Well I know that she was a Mississippi Choctaw.
That is, was always taught that and lived in Mississippi and
resided there at the time the treaty was made.
- Q Why did she remove from there to Texas? A I don't know
why she did.
- Q Have you any evidence showing that she was a recognized
member of the Choctaw tribe of Indians then? A No sir.
- Q What was her purpose in moving from Mississippi to Texas?
A I don't know.
- Q The treaty provided for the moving of the Choctaw Indians
from Mississippi to the Choctaw Nation which was north of Red River
and is now the Indian Territory, did not provide for the moving to
Texas? A After the treaty was made my mother moved to Texas. That
is all.
- Q Then did she not relinquish her right to citizenship in
the Choctaw Nation? There are two things the treaty provided for.
Either remove to the Choctaw nation in the present Indian Territory
or to remain in Mississippi, signify their intention to the Indian
Agent there to become citizens of the states and remain there.
If they elected to do that the government provided that it should
never debar them from the right to remove from Mississippi to
the Choctaw Nation in the Indian Territory and still maintain their
rights to Choctaw citizenship with the exception that they were not
to share in the Choctaw annuities. Now, why did your mother remove
from the Choctaw nation in Mississippi to Texas? A To claim a
right I suppose.
- Q There was no right granted in Texas? A ~~Katquack~~ In Miss-
issippi, Mississippi bought the Choctaw tribe out there.
- Q When they bought them out they agreed to do that. To keep
up their tribal laws they must remove to the Indian Territory. What
was your mother doing in Texas. A She settled in Texas.
- Q She must have removed with the tribe to the Choctaw Nation
in the Indian Territory. That is clear isn't it? A Yes sir.
- Q That is what the treaty provided, the removal of the Cho-
ctaw Indians from Mississippi to this new country that was granted
to them west of the Mississippi River and where they could keep up

J M Collinsworth 2

their tribal customs. A They come west.

Q To the Choctaw Nation, to this country that was set aside to the Choctaw Indians? A Yes sir.

Q Then what was she doing down in Texas? A Well, I could not say they moved into this Territory.

Q That was the only place they could move. A Didn't a lot of them move to different states to claim the right as Choctaws.

Q They might claim the right but they have not complied with the provisions of that treaty. Now, I want to know if your mother received land in Mississippi or did she come to the new Nation which is now the Choctaw Nation Indian Territory? A She never come to the Indian Territory but she never received nothing in Mississippi.

Myra Young, being first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 14th day of November, 1900.

Guy L. V. Emerson
Notary Public.

COPY.

M.C.R. 1039.

Muskogee, Indian Territory, July 19, 1902.

Bennie Baugh,

Flatonis, Texas.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	M.C.R.	660
George W. Collinsworth, et al.,	"	662
Willis D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary O. Braden,	"	1025
Mary Reed, et al.,	"	1026
Itasca Ross, et al.,	"	1027
Tomie Hill,	"	1028
Bennie Baugh,	"	1029
James Scott Draley, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. Dewitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 26, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

B.B. 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna E. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel R. Foster, James M. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lookie Reed, Itasca Ross, Eva Ross, Moselle Ross, Tommie Hill, Bonnie Raugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Torrey (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

T. E. McMillan

Commissioner in Charge.

Registered.

COPY M.O.R. 1029.

Muskogee, Indian Territory, October 11, 1902.

Bonnie Baugh,
Platonia, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

Commissioner in Charge.

No. 1029

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name Bonnie Baugh.

Age 15 Blood 1/16

Post Office Watouia, Texas.

Father: Thomas Baugh - ✓

Mother: Joan E. " - dead.

Claims through mother.

Children:

Application made by Thomas
Baugh, on behalf of his minor
child Bonnie Baugh.

TRIBES.

NOV 12 1900

Choc. MCR 1030

MCR 1030

James S. Chaley et al.
REFUSED

DECISION RENDERED.

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

ACT OF 1901 SECRETARY OF INTERIOR.

NOTICE OF DECISION
FORWARDED ATTORNEYS

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 660

REFUSED

ALC 1030

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for the identification
as Mississippi Choctaws of James B. Braley et. al, the minor children
of Warren L. Braley a non-citizen and Agnes O. Braley, deceased.
James M. Collinsworth being duly sworn by the Commission,
testified as follows:

Examination by the Commission.

- Q What is your name? A James B. Collinsworth.
- Q What is your age 65.
- Q What is your post-office address? A Lockhart, Caldwell
County, Texas.
- Q Are you the grand father of James S. Braley, Ella C.
Braley, Laura O. Braley, Maston R. Braley, Wilson W. Braley and
Bonnie Braley? A Yes sir.
- Q What do you know about the rights of these children to
identification as Mississippi Choctaws? A I know that their
grand parents were part Choctaw.
- Q Through whom do they claim this right to identification?
- Q Under their great grand mother.
- Q What was her name? A Mary Bonner.
- Q Was Mary Bonner a recognized member of the Choctaw tribe
of Indians in Mississippi in 1830? A I don't know whether she was
or not.
- Q What do you know about Mary Bonner's rights to Choctaw
citizenship? A Well I know that she was a Mississippi Choctaw.
That is was always taught that and lived in Mississippi and resided
there at the time the treaty was made.
- Q Why did she remove to Texas? A I don't know why she did.
- Q Have you any evidence showing that she was a recognized
member of the Choctaw tribe of Indians then? A No sir.
- Q What was her purpose in moving from Mississippi to Texas?
- A I don't know.
- Q The treaty provided for the moving of the Choctaw Indians
from Mississippi to the Choctaw nation which was north of Red River
and is now the Indian Territory, did not provide for the moving to
Texas. A After the treaty was made my mother moved to Texas. That
is all.
- Q Then did she not relinquish her right to citizenship in the
Choctaw Nation? There are two things the treaty provided for.
Either remove to the Choctaw Nation in the present Indian territory
or to remain in Mississippi, signify their intention to the Indian
Agent there to become citizens of the states and remain there. If
they elected to do that the government provided that it should never
debar them from the right to remove from Mississippi to the Choctaw
Nation in the Indian Territory and still maintain their rights to
Choctaw citizenship with the exception that they were not to share
in the Choctaw annuities. Now why did your mother remove from the
Choctaw Nation in Mississippi to Texas? A To claim a right I
suppose.
- Q There was no right granted in Texas? A In Mississippi,
Mississippi bought the Choctaw tribe out there.
- Q When they bought them out they agreed to do that. To keep up
their tribal laws they must remove to the Indian Territory. What was
your mother doing in Texas? A She settled in Texas.
- Q She must have removed with the tribe to the Choctaw nation
in the Indian Territory. That is clear isn't it? A Yes sir.

J W Collinsworth 2

Q That is what the treaty provided, the removal of the Choctaw Indians from Mississippi to this new country that was granted to them west of the Mississippi River and where they could keep up their tribal customs. A They come west.

Q To the Choctaw Nation, to this country that was set aside to the Choctaw Indians? A Yes sir.

Q Then what was she doing down in Texas? A Well, I could not say they moved into this Territory.

Q That was the only place they could move. A Didn't a lot of them move to different states to claim the right as Choctaws.

Q They might claim the right but they have not complied with the provisions of that treaty. Now, I want to know if your mother received land in Mississippi or did she come to the new Nation which is now the Choctaw Nation Indian Territory? A She never come to the Indian Territory but she never received nothing in Mississippi.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 18th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 14th day of November, 1900.

Guy L. Emerson
Notary public.

M C R-1030.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as Mississippi Choctaws of James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley and Bonnie Braley, the minor children of Warren Lorenzo Braley. Warren Lorenzo Braley being duly sworn by the Commission, testified as follows:

Examination by the Commission .

Q What is your name? A Warren Lorenzo Braley.
Q What is your age? A I will be 41 my next birthday.
Q What is your post-office address? A Rayne, Louisiana.
Q Are you a resident of the state of Louisiana? A Yes sir.
Q How long have you resided there? A About 8 months.
Q Where did you live prior to that time? A Texas.
Q How long did you live in Texas? A 26 years.
Q Where did you live before that? A Alabama.
Q How long did you live in Alabama? A About 13 years. I was about 13 years old when I left there.
Q Born in Alabama? A Yes sir.
Q And lived there until you moved to Texas? A Yes sir.
Q And had a continuous residence in Texas with the exception of the last six months? A Yes sir.
Q Have you ever resided in Mississippi? A No sir.
Q Never maintained a residence in the Indian Territory?
A No sir.
Q How much Choctaw blood do you claim? A I don't claim any. I am making this application for my children.
Q What are the names and ages of the children for whom you desire to make this application? A The oldest one is James Scott Braley.
Q How old? A 16.
Q The next one? A Ella Clifford.
Q How old is Ella? A 14.
Q The next one? A Laura O.
Q How old is Laura? A She is 12.
Q The next one? A Maston R.
Q How old is he? A Ten.
Q The next one? A Wilson Warren.
Q How old is he? A He's eight.
Q The next one? A Bonnie.
Q A boy or girl? A A girl.
Q How old is Bonnie? A She's six. That's all of them.
Q Where do these children live? A They live in Louisiana except the youngest one.
Q Where does she live? A In Texas with her grand mother.
Q Their residence has always been in Texas up to the time you moved to Louisiana? A Yes sir.
Q What was the name of the mother of these children? A Agnes O. Collinsworth.
Q Agnes Braley her name would be wouldn't it? A Yes sir.
Q Is she living? A No sir.
Q What was your wife's maiden name? A Agnes O. Collinsworth.
Q How long has she been dead? A She died in 1894.
Q Was her name ever on any of the tribal rolls of the Choctaw Nation? A Not that I know of .

Warren L. Bralley 2

Q Was she ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A Not that I know of.

Q Are the names of any of these children for whom application is made on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of the Choctaw Nation in the possession of the Commission examined and the names of none of these children appear thereon.

Q Have they ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.

Q Has any application ever been made to the tribal authorities of the Choctaw nation on their behalf for citizenship in the Choctaw Nation? A Not that I know of.

Q Was an application ever made on behalf of these children to this Commission in 1896 under the act of June 10th, 1896, for citizenship in the Choctaw Nation? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the names of none of these children appear thereon.

Q Have these children ever been admitted to citizenship in the Choctaw nation ~~on~~ by the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw nation by judgment of the United States Courts examined and the names of none of these children appear thereon.

Q This is the first application of any description that has ever been made for these children? A The first that I know of.

Q You are now making application for the identification of these children as Mississippi Choctaws? A Yes sir.

Q Why do you believe that these children are entitled to identification as Mississippi Choctaws under the provisions of the fourteenth article of the treaty of 1830? A I have been knowing the Collinsworth family for a number of years and I have always heard it talked among the family that they were part Indian, part Choctaw Indian.

Q How much Choctaw blood do you claim for these children? A One sixteenth.

Q The claim that is being made on their behalf is under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of the ancestors of these children ever comply with the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q What was the name of the ancestor of these children who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A I don't know only just from hearsay. Bonner was the name.

Q What was the full given name? A Mary Bonner.

Q Was Mary Bonner a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I could not tell you.

Q What relation was she to these children? A She was their great grand mother.

Q Have you evidence showing that these children are direct lineal descendants of Mary Bonner? A Only as far back as ~~Indians~~ this shows.

Q This is the marriage license and certificate between you and the mother of these children? A Yes sir.

There is offered in evidence certified copy of the marriage license and certificate between W. L. Bralley

Warren J. Braley 3

and Miss A. O. Collinsworth, marked exhibit A, filed and made a part of the records in this case.

Q Do you know anything about the ancestors of these children further back than that? A No sir.

Q You don't know whether the ancestors of these children ever received or claimed any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830?

A No sir.

Q Are you making any claim on behalf of these children by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A No sir.

Q Is there any additional statement you desire to make in support of this application? A No sir, none that I know of.

Q Any written evidence that you desire to offer the Commission for consideration in support of this application? A No sir.

Permission is granted the applicant to file additional written evidence in support of this application provided the same is offered for filing with this Commission within ten days from the date hereof.

The decision of the Commission as to the application made by you on behalf of your six minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 13th day of November, 1900.

Guy L. Emerson
Notary Public.

COPY

H.C.R. 1080.

Muskogee, Indian Territory, July 19, 1902.

James S. Braley,

Rayne, Louisiana.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	H.C.R.	660
George W. Collinsworth, et al.,	"	662
Willis D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary C. Braden,	"	1026
Mary Reed, et al.,	"	1026
Itason Ross, et al.,	"	1027
Tomie Hill,	"	1028
Bonnie Baugh,	"	1029
James Scott Braley, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. DeWitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concluded as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna E. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel E. Foster, James M. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lockie Reed, Itason Ross, Eva Ross, Roselle Ross, Tommie Hill, Bonnie Baugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Fannie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

T. D. Needles.

Commissioner in Charge.

Registered.

COMMISSIONERS:
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.
ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1030

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

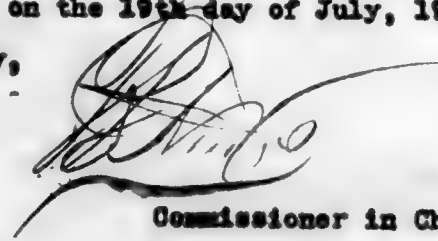
Muskogee, Indian Territory, October 11, 1902.

James E. Bralcy,
Bayne, Louisiana.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,



Commissioner in Charge.

1030
For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name Warren L. Braley.

Age 41 Blood 1/16

Post Office Payne, Louisiana.

Father: Warren L. Braley.

Mother: Agnes O. Braley - dead

Claims through mother

(Claims made by Warren L. Braley on behalf of his six minor children).

Children:

James S. Braley.	16.
Olga C. "	13.
Laura O. "	12.
Maston R. "	10.
Wilson W. "	8.
Bonnie "	6.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF INDIAN AFFAIRS.

FILED

NOV 12 1900

ACTING CHAIRMAN.

Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



*Unclaimed
Returned to writer*

~~James C. Driscoll~~

~~Rayne, Louisiana.~~



1030

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 22 1902

[Signature]
ACTING CHAIRMAN



UNCLAIMED.

Returned to Writer.

Reg No 71

Returned to Writer.

James C. Droley,

Rayne,

Louisiana.



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

655

467



Choc. MCR 1031

MCR 1031

MISSISSIPPI CHOCTAW.

William J. Hollinsworth et al.
REFUSED

DECISION REVERSED

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MADE BY APPLICANT.

JUL 19 1902

NOTICE OF DECISION MADE BY ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 660

REFUSED

M. C. R-1031

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 12, 1900.

In the matter of the application for identification as Mississippi Choctaws of W. T. Collinsworth and his four minor children. W. T. Collinsworth being duly sworn by the Commission testified as follows:

Examination by the Commission.

Q What is your name? A William Thomas Collinsworth.
Q What is your age? A I will be 41 my next birthday, the
8th of March.
Q What is your post-office address? A Kingsbury.
Q What state? A Texas.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided there? A All my life.
Q Never have resided in Mississippi or maintained a residence
in the Indian Territory? A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A James M. Collinsworth.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Sarah Collinsworth.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A On my father's side.
Q Your father's name ever on any of the tribal rolls of the
Choctaw Nation? A Not that I know of.
Q Was he ever recognized by the Choctaw tribal authorities
during his life time as a citizen of the Choctaw Nation? A Not
that I know of.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission, examined and the name
of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their National Council as a citizen of
the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make appli-
cation to this Commission for citizenship in the Choctaw Nation?
Q Not as I know of.

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896
examined and the name of the applicant does not
appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by a judgment of the United States Courts for the Indian
Territory or appear from the decision of the Choctaw tribal
authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Courts, examined and the name of the applicant does
not appear thereon.

W T Collinsworth 2

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A Well sir, I heard my grand mother say - she told me that she was part Indian.

Q What was her name? A Bonner.

Q Her full given name? A Mary Bonner.

Q What relation was she to you? A My grand mother, father's mother.

Q Grand mother on your father's side? A Yes sir.

Q Was Mary Bonner a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I don't know sir. I can recollect talking about it and she said I was part Indian.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A I don't know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q Are you making any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Mary Susan.

Q Are you making any claim for her? A No sir.

Q When did you marry her? A In '79.

Q Where? A In Texas.

Q Married to her in accordance with the laws of the state of Texas? A Yes sir.

Q Have you your marriage license and certificate? A Yes sir

There is offered in evidence certified copy of the marriage license and certificate of William Collinsworth and Miss S. M. Taylor, marked exhibit A, filed and made a part of the records in this case.

Q The S. M. Taylor that is mentioned in this marriage license is the identical party whom you now state to be Mary Susan Collinsworth, your wife? A Yes sir.

Q Have you any children? A Yes sir.

Q How many? A Four.

Q Do you desire to make application for them? A Yes sir.

Q What are their names and ages? A Lexia Collinsworth.

Q A boy or girl? A Girl.

Q How old? A 15.

Q The next one? A Stella Agnes.

Q How old is Stella? A She is 12.

Q The next one? A Willie Gertrude.

Q A boy or a girl? A Girl, all of them girls.

Q How old is Willie? A Nine she will be ten her next birthday, and Bessie.

Q How old is Bessie? A Three.

Q Are you the father of these four children? A Yes sir.

Q Mary Susan Collinsworth is the mother of all four of them?

A Yes sir.

Q These children all live with you at your home. A Yes sir.

W T Collinsworth 3

Q Mary Susan Collinsworth is a white woman is she? A Yes sir
Q Never made any claim to Indian citizenship? A No sir.
Q Is there any additional statement you desire to make in support of this application? A No sir.
Q Is there any written evidence you desire to offer the Commission for consideration in support of this application? A No sir, none that I know of.

permission is granted the applicant to file written evidence in support of this application provided the same is offered for filing within ten days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your four minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 13th day of November, 1900.

Geo L. Emerson
Notary Public.

COPY.

H.C.R. 1031.

Muskogee, Indian Territory, July 19, 1902.

William T. Collinsworth,
Kingsbury, Texas.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	H.C.R.	660
George W. Collinsworth, et al.,	"	662
Willie D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary C. Braden,	"	1025
Mary Reed, et al.,	"	1026
Itasca Ross, et al.,	"	1027
Tommie Hill,	"	1028
Bonnie Baugh,	"	1029
James Scott Braley, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. DeWitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna R. Collinsworth, George W. Collinsworth, Mary A. Foster, William T. Foster, Aaron Oscar Foster, Reulah A. Foster, Lessie O. Foster, Ethel R. Foster, James M. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lockie Reed, Itason Ross, Eva Ross, Moselle Ross, Tommie Hill, Bonnie Baugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Wille Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Torry (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

E. B. Hoffman.

Commissioner in Charge.

Registered.

COPY.

M.C.R. 1031

Muskogee, Indian Territory, October 11, 1902.

William T. Collinsworth,
Kingsbury, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

(SIGNED):

E. D. Medico.

Commissioner in Charge.

No. 1031

For Identification as a Mississippi Choctaw.

Date NOV. 12 1900

Name *William T. Collinsworth.*

Age *41* Blood *1/8*

Post Office, *Kingsbury, Texas.*

Father: *James M. Collinsworth - ✓*

Mother: *Sarah E. Collinsworth - ✓*

Claims through *father.*

WIFE:

Mary Susan Collinsworth
(No claim for wife)

Children:

Lexie Collinsworth 15

Stella A. " 12

Willie G. " 9

Bessie " " 3.

TRIBES.

NOV 12 1900

Choc.

MCR 1032

CHICKASAW
John M. Hollinsworth et al.

DECISION RENDERED

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHICKASAW AND CHICKASAW NATIONS.

JUL 19 1902

ACTION APPROVED BY SECRETARY OF THE INTERIOR

JUL 19 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

JUL 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHICKASAW
AND CHICKASAW NATIONS

JUL 11 1902

660

M C R-1032.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as
Mississippi Choctaws of J. M. Collinsworth and his minor child.
J. M. Collinsworth being duly sworn by the Commission, testified
as follows:

Examination by the Commission.

Q What is your name? A John Monroe Collinsworth.
Q How old are you? A Thirty years old.
Q What is your post-office address? A Kingsbury.
Q That is in Texas, isn't it? A Yes sir.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided in Texas? A All my life.
Q Never have resided in Mississippi or the Indian Territory?
A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A James M. Collinsworth.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Sarah Collinsworth.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q Your father's name ever on any of the tribal rolls of the
Choctaw Nation? A Not that I know of.
Q Has he ever been recognized by the Choctaw tribal authori-
ties as a citizen of the Choctaw Nation? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their National Council as a citizen of
the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw nation under
the act of Congress of June 10th, 1896? A Not that I know of.
Q You know whether you did or not don't you? A No sir, I
didn't.
Q Did you authorize any one to make any application for you?
A No sir.
Q Have you any reason to believe that any was made for you?
A No sir.

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896
examined and the name of the applicant does not
appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw Nation or
the decision of this Commission? A No sir.

J M Collinsworth 2

Record of parties admitted to citizenship in the Choctaw nation by judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A I have been taught that I was a part Indian from my grand mother.

Q Are you making your claim as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.

Q Did ~~xx~~ any of your ancestors ever comply with the provisions of that article of that treaty? A I don't know, sir.

Q What was the name of your ancestor who resided in Mississippi in 1830? A Mary Bonner.

Q Was Mary Bonner a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I don't know, sir.

Q What relation is she to you? A My grand mother.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Ida Collinsworth.

Q Is she a white woman? A Yes sir.

Q Never made any claim to Indian citizenship? A No sir.

Q Where did you marry her? A Guadalupe, Texas.

Q You were married to her in accordance with the laws of the state of Texas? A Yes sir.

Q You are not making any claim for her identification as a Mississippi Choctaw are you? A No sir.

Q Have you your marriage license and certificate? A I could not get mine at this time but I will send them.

Q We will grant you ten days in which to file evidence of your marriage to Ida Collinsworth. A All right.

Q Have you any children? A One.

Q What is the name and age of your child? A James Wilson Collinsworth.

Q How old is this child? A Two years old.

Q You are the father of this child? A Yes sir.

Q Ida Collinsworth is the mother? A Yes sir.

Q The child lives with you? A Yes sir.

Q You and your wife are living together? A Yes sir.

Q Is there any additional statement you desire to make in support of your application and the application you make on behalf of your child? A No sir.

Q Is there any written evidence you desire to file with the Commission for consideration in support of this application? A I have none.

Permission is granted the applicant to file written evidence in support of this application provided the same is offered for filing within ten days from the date hereof.

J M Collinsworth 3

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 13th day of November, 1900.

Guy L. Emerson
Notary Public.

M.C.R. 1032.

Muskogee, Indian Territory, July 19, 1902.

John M. Collinsworth,
Kingsbury, Texas.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James M. Collinsworth, et al., embracing the following applications for identification as Mississippi Choctaws:

James M. Collinsworth,	M.C.R.	660
George W. Collinsworth, et al.,	"	662
Willie D. Collinsworth, et al.,	"	663
Mary A. Foster, et al.,	"	664
Mary C. Braden,	"	1023
Mary Reed, et al.,	"	1026
Itasca Ross, et al.,	"	1027
Tommie Hill,	"	1028
Bonnie Raugh,	"	1029
James Scott Bralcy, et al.,	"	1030
William Thomas Collinsworth, et al.,	"	1031
John Monroe Collinsworth, et al.,	"	1032
Jimmie Dunning, et al.,	"	1033
Merilda B. DeWitt, et al.,	"	2151

These applications were made under the provision of the act of Congress of June 28, 1896 (29 Stats. 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willie D. Collinsworth, William C. Collinsworth, Edna B. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel R. Foster, James M. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lockie Reed, Itason Ross, Eva Ross, Moselle Ross, Termie Hill, Bernie Baugh, James Scott Braley, Ella Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tammie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

J. B. Medico

Commissioner in Charge.

Registered.

M.C.R. 1032

COPY

Muskogean Indian Territory, October 11, 1902.

John M. Collinsworth,
Kingsbury, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

(SIGNED)

I. D. Needles.

Commissioner in Charge.

1882

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name John M. Collinsworth

Age 30 Blood 1/8

Post Office Kingsbury, Texas.

Father: James M. Collinsworth - ✓

Mother: Mary Collinsworth - ✓

Claims through father.

WIFE:

Ida Collinsworth
(No claim for wife).

Children:

James W. Collinsworth 2;

ES.

V 12 1900

Choc. MCR 1033

Jimmie Dunning

See MCR 660

MCR 1033

Jimmie Dunning et al
REFUSED

DECISION RENDERED.

JUL 19 1902

RECORD FORWARDED DEPARTMENT.

JUL 19 1902

NOTICE OF DECISION MAILED APPLICANT.

19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

ACTION

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 19 1902

REFUSED

660

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 12, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Jimmie Dunning and her four minor children.
Jimmie Dunning being duly sworn by the Commission testified as
follows.

Examination by the Commission.

- Q What is your name? A Jimmie Dunning.
Q What is your age? A 27.
Q What is your post-office address? A San Antonio.
Q What is your street address? A 216 Brooks Street.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided there? A All my life. Never was
out of the state until yesterday.
Q You have never maintained a residence in the state of
Mississippi? A No sir.
Q Nor in the Indian Territory? A No sir.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A James M. Collinsworth.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Sarah Agnes Collinsworth.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q Your father's name ever on any of the tribal rolls of the
Choctaw Nation? A No sir, not that I know of.
Q Was he ever recognized by the Choctaw tribal authorities as
a citizen of the Choctaw Nation? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw
Nation?

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
the applicant does not appear thereon.

- Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their National Council as a citizen of
the Choctaw nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw
Nation made to this Commission in 1896, examined and
the name of the applicant does not appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw
Nation by a judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw tribal authori-
ties or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Courts, examined and the name of the applicant does
not appear thereon.

Jimmie Dunning 2

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A My grand mother was part choctaw.

Q Are you making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of the Choctaw tribe of Indians? A Mary c. Bonner.

Q What relation was she to you? A My grand mother.

Q You are a direct lineal descendant of hers? A Yes sir.

Q Was she a recognized member of the Choctaw tribe of Indians? A I don't know.

Q When did she leave Mississippi? A Between 36 and 37.

Q Where did she remove to? A Texas.

Q And lived there until she died? A Yes sir.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A William Dunning.

Q Is he a white man? A Yes sir.

Q Never made any claim to Indian citizenship by blood? A No sir.

Q Where did you marry him? A In Texas.

Q When? A In 1892.

Q Making any claim for him? A No sir.

Q Have you any children? A Four.

Q Do you want to make application for them? A Yes sir.

Q What are the names and ages of your children? A Harris.

Q How old is Harris? A Seven.

Q The next one? A Roy.

Q How old is Roy? A Five.

Q All right. The next? A Douglas. Q How old? A Three.

Q The next one? A Tommy.

Q Is Tommie a boy or a girl? A Boy.

Q How old is Tommy? A Three months.

Q You are the mother of these four children? A Yes sir.

Q William Dunning is the father? A Yes sir.

Q These four children live with you at your home? A Yes sir.

Q You and your husband are living together? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A No sir.

Q Is there any written evidence you desire to offer the Commission for consideration in support of this application? A No sir.

Permission is granted the applicant to file written evidence in support of this application provided the same is offered for filing within ten days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your four minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Jimmie Dunning 3

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 12th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 14th day of November, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, February 19, 1901.

W. H. Dunning,
216 Brooks Street,
San Antonio, Texas .

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6 th instant in which you desire to be informed as to the ruling that has been made by the Commission as to filing on allotted lands and how soon you can make such a filing and if it can be done before your claims have been approved by the Secretary of the Interior.

You state further that you desire this information on behalf of your wife, Mrs. Jimmie Dunning.

Replying to your letter you are informed that the records of the Commission show that at Muskogee, Indian Territory, on September 12th, 1900, Jimmie Dunning, whose post-office address at the time of such appearance was given as San Antonio, Texas, made application for the identification of herself and her children, Harris, Roy, Douglas and Tommy Dunning as Mississippi Choctaws.

The Commission has not up to this time been able to fully consider this case and render a decision therein but will do so at as early a date as possible and when such a decision is reached, a copy thereof will be mailed your wife, stating fully therein the reason for any action that may be taken by the Commission.

As to rights of filing on allotted lands at this time, you are informed that no provision up to this time has been made in the

W H D 2

Choctaw-Chickasaw country for the opening of a land office therein and until such date no selections can be recorded of any prospective allotment.

The rights of Mississippi Choctaws are defined in the act of Congress of May 31st, 1900, as follows:

"That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have the right, at any time prior to the approval of the final rolls of the Choctaws and Chickasaws by the Secretary of the Interior, to make settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be enrolled by the said United States Commission, and by the Secretary of the Interior as Choctaws entitled to allotment."

Therefore, before your wife could in any manner be recognized as entitled to an allotment of the lands of the Choctaw and Chickasaw Nations, it would be necessary for her to be duly identified by this Commission as a Mississippi Choctaw and after such identification, upon proof of the fact of bona fide settlement may be enrolled by the Commission and by the Secretary of the Interior as a Choctaw entitled to allotment.

Until the approval of the Commission's action as to Mississippi Choctaws and their enrollment by the Commission and the Secretary of the Interior, your wife would not be entitled to recognition in any manner as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

M C R 1033

COPY.

M C R 1038

Muskogee, Indian Territory, July 19, 1902.

Jimmie Dunning,
216 Brooks Street,
San Antonio, Texas.

Dear Sir:

You are hereby advised that on the 19th day of July, 1902,
the Commission to the Five Civilized Tribes rendered a decision in
the consolidated case of James M. Collinsworth, et al., embracing
the following applications for identification as Mississippi Choctaw-
towns:

James M. Collinsworth,	M C R	660
George W. Collinsworth, et al.,	M C R	662
Willie D. Collinsworth, et al.,	M C R	663
Mary A. Foster, et al.,	M C R	664
Mary S. Braden,	M C R	1025
Mary Reed, et al.,	M C R	1026
Itasca Ross, et al.,	M C R	1027
Tommie Hill,	M C R	1028
Bonnie Raugh,	M C R	1029
James Scott Bralcy, et al.,	M C R	1030
William Thomas Collinsworth, et al.,	M C R	1031
John Monroe Collinsworth, et al.,	M C R	1032
Jimmie Dunning, et al.,	M C R	1033
Merilda B. DeWitt, et al.,	M C R	2151

These applications were made under the provision of the
act of Congress of June 28, 1898 (30 Stat., 498), which is as fol-
lowing:

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may ad-

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James M. Collinsworth, George W. Collinsworth, Willis B. Collinsworth, Hubert S. Collinsworth, Persia Collinsworth, Garry Collinsworth, Willis D. Collinsworth, William C. Collinsworth, Edna B. Collinsworth, George W. Collinsworth, Mary A. Foster, Willis T. Foster, Aaron Oscar Foster, Beulah A. Foster, Lessie O. Foster, Ethel E. Foster, James M. Foster, Lena Ruth Foster, Mary C. Braden, Mary Reed, Blanche Reed, Lockie Reed, Itason Ross, Eva Ross, Moselle Ross, Tommie Hill, Bonnie Raugh, James Scott Braley, Allen Clifford Braley, Laura O. Braley, Maston R. Braley, Wilson Warren Braley, Bonnie Braley, William Thomas Collinsworth, Lexia Collinsworth, Stella Agnes Collinsworth, Willie Gertrude Collinsworth, Bessie Collinsworth, John Monroe Collinsworth, James Wilson Collinsworth, Jimmie Dunning, Harris Dunning, Roy Dunning, Douglas Dunning, Tommy (or Tommie) Dunning, Merilda B. DeWitt, Thomas A. Percival, Elizabeth Percival and John Riley Percival, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Merilda B. DeWitt for the identification of her husband, John B. DeWitt, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Commissioner in Charge.

Registered.

Sub

M.C.R. 1033

Muskegee, Indian Territory, July 30, 1902.

Jimmie Dunning,
#512 Hayes Street,
San Antonio, Texas.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 24th inst., in which you ask to be informed on what grounds your application was refused. You state that your identity was fully proven when you were before the Commission as your father was present.

In reply you are informed that the records of the Commission show that you are an applicant for the identification of yourself and minor children as Mississippi Choctaws. At the time you made this application, you testified your father's name was James M. Collinsworth; our records also show that James M. Collinsworth is an applicant for identification as a Mississippi Choctaw and that your case was consolidated and considered with his case and the cases of certain other persons, applicants to this Commission for identification as Mississippi Choctaws, claiming descent from the same common ancestor, Mary Benner.

The authority vested in this Commission to determine the identity of so-called Mississippi Choctaws, is contained in the provision of the act of Congress of June 28, 1898, as follows:

J D

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Under this legislation the Commission requires of applicants for identification as Mississippi Choctaws that they reasonably demonstrate that they are descendants of Choctaw Indians who resided in the old Choctaw Nation in the states of Mississippi and Alabama in 1830, and who complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or who were subsequently adjudicated beneficiaries thereunder by either of the two Commissions authorized for this purpose by the acts of Congress approved March 3, 1837 and August 23, 1842.

The several applicants in this consolidated case having failed to submit any proof of the compliance on the part of Mary Bonner with the fourteenth article of the treaty of 1830, the Commission on July 19, 1902, rendered its decision refusing the right to identification as Mississippi Choctaws of the several persons whose applications are included in said consolidated case and on the same date notified the several applicants therein of such decision and of the forwarding of the record to the Secretary of the Interior for his review.

-3-

J D

You will be informed in due time of such action as may be
taken by him.

Yours truly,

Acting Chairman.

COPY.

M.C.R. 1033

Muskogee, Indian Territory, October 11, 1902.

Jimmie Dunning,
#216 Brooks St.,
San Antonio, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James M. Collinsworth, et al., of which decision you were advised by registered mail on the 19th day of July, 1902.

Respectfully,

SIGNED

W. H. H. H.

Commissioner in Charge.

1933

For Identification as a Mississippi Choctaw.

Date NOV 12 1900

Name Jimmie Dunning.

Age 27 Blood $\frac{1}{8}$

Post Office, San Antonio, Texas.

Father: James M. Collinsworth ✓

Mother: Sarah C. Collinsworth ✓

Claims through Father.

HUSBAND:

Wm. Dunning.

(No claim for husband).

Children:

Harris Dunning 7.

Roy " 5.

Douglas " 3.

Tommy " 4 mo.

#216 Brooks St.

San Antonio, Texas.

2054-1901 W.H. Dunning,
San Antonio, Texas
M.C.R.
1033 Jimmie Dunning, et al.

The records show that on November 12, 1900 Jimmie Dunning aged 27, whose post office is 216 Brooks St. San Antonio, Texas, whose husband is Wm. Dunning, appeared before the Commission at Muskogee, Indian Territory, and applied for identification of herself and four children, Harris, Roy, Douglas and Tommy Dunning as Mississippi Choctaws. No judgment has yet been rendered in this case.

Atoka, February 15, 1901.

AB

Choc. MCR 1034

Calvin Fisher

See MCR 654

MCR 1034

CHOCTAW

Calvin Fisher et al

REFUSED

DECISION RENDERED

JUL 18 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 18 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

RECORD FORWARDED DEPARTMENT.

JUL 18 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 8 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 30 1902

REFER TO M. C. R. 654

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 13, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Calvin Fisher and his minor child. Calvin
Fisher being duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Calvin Fisher.
Q What is your age? A 24.
Q What is your post-office address? A Tecumseh.
Q Where is that? A It is in Oklahoma.
Q Are you a resident of Oklahoma? A I am living in Oklahoma
now. Stopping there. *
Q How long have you lived there? A Why, I have lived there
about eight years.
Q Maintained a continuous residence there for the past eight
years? A No sir, I have been there off and on.
Q You said you had lived there for eight years? A Well,
that has been my home.
Q Have you maintained a residence there? A Yes sir.
Q What do you mean by off and on? A I have not been
there all the time.
Q Where have you been? A In the Territory part of the time.
Q What were you doing? A Working.
Q Ever maintained a residence in the Indian Territory? A No
sir I was working for wages.
Q Where did you live prior to your residence in Oklahoma?
Q Down by Purcell in the Chickasaw Nation.
Q How long were you there? A Two months.
Q Where did you live before that? A Oklahoma.
Q How long did you live in Oklahoma the first time? A About
four years.
Q Where did you live before that? A On the Cherokee Nation.
Q How long did you live in the Cherokee Nation? A About
four years.
Q When was that? A Well sir, it was about 12 years ago.
Q Where did you live before your residence in the Cherokee
Nation? A Arkansas.
Q How long did you live in Arkansas? A Until I was seven
years old.
Q Born there? A Yes sir.
Q Did you ever live in Mississippi? A No sir.
Q Any of your ancestors ever reside in Mississippi? A Yes
sir.
Q How much Choctaw blood do you claim? A One sixteenth.
Q What is your father's name? A Calib Fisher.
Q Is he living? A Yes sir.
Q What is your mother's name? A Emmie Fisher.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A Through my father.
Q Your father's name on any of the tribal rolls of the
Choctaw Nation? A Yes sir.
Q What roll? A I don't know.
Q How do you know it is on any of the tribal rolls? A Well,
I don't know anything only that he made application for his proof.

Calvin Fisher 2

Q When? A Well, it hasn't been long. About in August.
Q To whom did he make application? A I don't know.

The tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of Calib Fisher does not appear thereon.

Q The name of your father is not on any of the tribal rolls of the Choctaw Nation in the possession of this Commission. Has your father ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir, I believe not.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not only on my application for the proof is a. l.

Q That isn't any roll is it? A I suppose not.

Q Then when I ask you (Is your name on any of the tribal rolls of the Choctaw Nation? what is your answer? A Well, I don't know.

Q You know it isn't don't you? A It is on the application.

Q We are not talking about the application. Is your name on any of the tribal rolls of the Choctaw Nation? A No, I suppose not.

Q Why do you suppose anything about it. A Simply because I don't know that it is not only just our application.

Q We are not talking about the application now. We are talking about the rolls. Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A Yes sir.

Q When? A Why, I come with my application now.

Q Have you ever made application to the Choctaw tribal authorities. This is not the Choctaw tribal authorities? A No sir.

Tribal roll of citizens of the Choctaw nation in the possession of the Commission, examined and the name of the applicant does not appear thereon.

Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of the Choctaw Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw nation made to the Commission in 1896, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Well sir, because I have always been taught

Calvin Fisher 3

that I was Choctaw.

Q Making your claim under the provisions of the 14th article of the treaty of 1830? A Well, I don't know what that article is.

Q The only authority vested in this Commission to hear and determine the rights of applicants to identification as Mississippi Choctaws is contained in the 21st section of the act of Congress of June 28th, 1898, which provides, "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the 14th article of the treaty between the United States and the Choctaw nation concluded September 27th, 1830." Do you make your claim as a Mississippi Choctaw under the provisions of that 14th article of the treaty of 1830? A I reckon I do under the late treaty.

Q Do you make your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir, I reckon so.

Q Do you or do you not? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q They did? Have you any evidence showing that your ancestors have ever complied with the provisions of the 14th article of the treaty of 1830? A No sir.

Q How did they ever comply with the provisions of that article of that treaty? A Well, I don't know.

Q You said they had didn't you? A (No answer.)

Q How did they ever comply with the provisions of the 14th article of the treaty of 1830? A Well, I don't know whether they have or not.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A Calib Fisher.

Q What relation was Calib Fisher to you? A My great grand father.

Q Was Calib Fisher a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A Yes sir.

Q Have you any evidence of that fact? A Yes sir.

Q What is it? A I have a sworn statement.

Q Of what? A That he was.

Q That he was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A Yes sir.

Q Let's see it? Do you know John Albertson? A No sir.

Q Do you know Tobias Edwards? A No sir.

Q How can these people make affidavit as to your Indian blood? A They make it to my ancestors. They don't know me.

Q Is that all the evidence you have to show that your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830? A Yes sir, it is all that I have here.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Well sir, I don't know whether they did or not. They lived there. Was residents of Mississippi.

Q I am not asking you about that. Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830?

A Yes sir.

Q Who? A My great grand father.

Q What was his name? A Calib Fisher.

Q Have you any evidence showing that Calib Fisher received any land in Mississippi as a beneficiary under the provisions of the 14th article of the treaty of 1830? A No sir, I don't know that he received any land.

Q That was the question I asked you. Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A They claimed it but I don't know whether they received it or not.

Q How did they claim it? A By Choctaw Indians.

Q Did they comply with the 14th article of the treaty of 1830

Calvin Fisher 4

and signify their intention to remain in Mississippi and become citizens of the United States? A I don't know.

Q What do you know about your ancestors residence in Mississippi and their rights to hold land in Mississippi under the 14th article of the treaty of 1830? A I don't know only what I have been taught.

Q Well, what do you know about it. A I don't know anything about it of course I was never there and don't know.

Q Are you married? A Yes sir.

Q What is your wife's name? A Nannie Fisher.

Q How old is she? A 22.

Q Making any claim for her? A No sir.

Q Is she a white woman? A Yes sir.

Q She never made any claim to Indian citizenship? by blood?

A No sir.

Q When did you marry her? A I married her the 6th day of March, 1898.

Q Where? A At her home in Pottawotomie County.

Q Oklahoma? A Yes sir.

Q Married to her in accordance with the laws of the territory of Oklahoma? A Yes sir.

Q Have you your marriage license and certificate? A I have n't them with me.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to Nannie Fisher in the matter of the application for the identification of your child as a Mississippi Choctaw. What is the name of your child? A Eunice Alto.

Q How old is this child? A Born the 6th day of October.

Q October when? A Last, 1900.

Q A little over a month old? A Yes sir.

Q Is that all the child you have? A Yes sir.

Q You are the father of this child? A Yes sir.

Q Nannie Fisher is the mother? A Yes sir.

Q Is there any additional statement you desire to make in suppose of this application? A No sir.

Q Any written evidence that you desire to offer in support of your application?

There is offered in evidence the application and petition of Calvin Fisher and the affidavits of John Albertson and Tobias Edwards. We can't accept those affidavits as they purport to be certified copies of an original and there is no certificate.

Q Who fixed them up for you? A A Notary fixed this up this morning That on this side.

Q That is all right but we cannot accept these affidavits.

A They are the same my father has.

Q But they are not certified to. It says copies of an original and there is no certificate. We will take your application if you want us to.

There is offered in evidence the application and petition of Calvin Fisher, marked exhibit A, filed and made a part of the record in this case.

Permission is granted the applicant to file written evidence in support of this application providing the same is offered for filing within ten days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Calvin Fisher 5

Myra Young, having been first duly sworn, upon her oath states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 13th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 13th day of November, 1900.

Guy L. Emerson
Notary Public

M.C.R. 1034.

Muskogee, Indian Territory, July 18, 1902.

Calvin Fisher,
Tecumseh, Oklahoma Territory.

Dear Sir:

You are hereby advised that on the 18th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Calvin Fisher, et al., embracing the following applications for identification as Mississippi Choctaws:

Calvin Fisher, et al.,	M.C.R. 654
Eliza Higginbotham, et al.	M.C.R. 1023
Jesse Fisher,	M.C.R. 656
Sarah Wilson, et al.,	M.C.R. 658
Thomas Fisher, et al.,	M.C.R. 657
Calvin Fisher, et al.,	M.C.R. 1034
William Fisher,	M.C.R. 665
Ellie Hamilton,	M.C.R. 659
Martha Tice, et al.,	M.C.R. 655
Laura Jewell, et al.,	M.C.R. 659
Ellen Gertrude Latham, et al.,	M.C.R. 870
George Tice, et al.,	M.C.R. 666
William Tice, et al.,	M.C.R. 667
Samuel Fisher, et al.,	M.C.R. 1038
Effie Wingo, et al.,	M.C.R. 1066
Della Foster,	M.C.R. 1067

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Calip Fisher, Clara Fisher, Eliza Higginbotham, Johnnie Higginbotham, Willie Higginbotham, Jesse Fisher, Sarah Wilson, Ethel Wilson, Lillian Wilson, Dee Wilson, Fay Wilson, Thomas Fisher, Emma Fisher, Bertha Fisher, Calip Fisher, Calvin Fisher, Eunice Alto Fisher, William Fisher, Ella Hamilton, Martha Tice, Charles Tice, Walter Tice, Jesse Tice, Martin Tice, Laura Jewell, William Jewell, Lillie Jewell, Lottie Jewell, Millard F. Jewell, Helen Gertrude Latham, William Latham, Janie Latham, David Latham, George Tice, David Tice, William Tice, Oscar Tice, Samuel Fisher, Willie Fisher, Arthur Fisher, Grace Fisher, Ola Fisher, Jesse Fisher, Mary Fisher, Effie Wingo, Mary Wingo, Oscar Wingo, Dew Wingo, Birdie Wingo, and Della Foster, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered,

Commissioner in Charge.

COMMISSIONERS:

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

M.O.R. 1034.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES. Muskogee, Indian Territory, October 8, 1902.

Calvin Fisher,

Teconseh, Oklahoma Territory.

Dear Sir:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Calip Fisher, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

Acting Chairman.

REFER IN REPLY TO THE FOLLOWING:

MUR 1034

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 14, 1906.

Calvin Fisher,

Tecumseh, Oklahoma.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on December 5, 1906, denied the petition filed under the Act of Congress approved April 26, 1906, by Calip Fisher, of Tishomingo, Indian Territory, for the reopening of the consolidated Mississippi Choctaw case of Calip Fisher, et al.

Respectfully,


Commissioner.

No. 1034

For Identification as a Mississippi Choctaw.

Date NOV 13 1900

Name Calvin Fisher.

Age 24 Blood 1/16

Post Office, Decumach, O. T.

Father: Calib Fisher - ✓

Mother: Emma Fisher - ✓

Claims through father.

WIFE:

Nannie Fisher 22
(No claim for wife).


Children:

Eunice Alto Fisher. 1 yro.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 13 1900



ACTING CHAIRMAN.

21

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



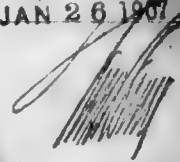
Calvin Fisher
Tecumseh, Oklahoma Unclaimed.

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DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes.

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JAN 26 1907



Commissioner.

UNCLAIMED



Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

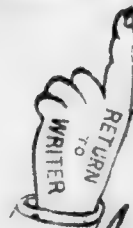
OFFICIAL BUSINESS.

Penalty for private use, \$300.

Oliver Fisher

Freemason

O. F.



1034



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 22 1902

ACTING CHAIRMAN



Choc. MCR 1035

Samuel Fisher

See MCR 654

MCR 1035

Samuel Fisher et al

REFUSED

DECISION RENDERED.

JUL 18 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 18 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 1 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 30 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

OCT 8 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

OCT 8 1902

REFER TO M. C. R. 654

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 13, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Samuel Fisher and his six minor children.
Samuel Fisher being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A Samuel Fisher.
Q What is your age? A 46
Q What is your post-office address? A Arbeka.
Q Where is that? A Up in the upper part of the Creek Nation.
Q Do you live in the Creek Nation, Indian Territory? A Yes
sir, I stay there pretty near all the time.
Q Did you ever live in the Choctaw Nation? A Yes sir.
Q When? A I went there in 1877 and lived there until the
Sac and Fox Country opened up. I wasn't in the Choctaw all the time.
Was in the Chickasaw the first two years.
Q What were you doing there? A Farming.
Q How did you hold possession of any land in the Choctaw and
Chickasaw country? A I was renting.
Q You were never recognized as a citizen? A No sir.
Q How long have you resided in the Indian Territory? A Since
seventy seven.
Q Where did you live before that? A In Texas, five years.
Q Where did you live before that? A Born and raised in
south west Missouri.
Q Did you ever live in Mississippi? A No sir.
Q Any of your ancestors ever live in Mississippi? A Only
what I have been told is all I know.
Q How much Choctaw blood do you claim? A One thirty second.
Q What was your father's name? A Furnace Fisher.
Q Is he living? A No sir.
Q What was your mother's name? A Elizabeth.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q Your father's name ever on any of the tribal rolls of the
Choctaw Nation? A I think not.
Q Was he ever recognized by the Choctaw tribal authorities as
a citizen of the Choctaw Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission, examined and the name
of the applicant does not appear thereon.

Q Did you ever make application to the Choctaw tribal authori-
ties for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their National Council as a citizen of
the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion for citizenship in the Choctaw Nation, to this Commission under
the act of June 10th, 1896? A No sir.

Samuel Fisher 2

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Q ~~Witness~~ Have you ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either ~~an~~ citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because I have always been told ever since I can recollect that we was part Choctaw, is all I know.

Q Are you making your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes sir, but I don't know how that treaty is.

Q I will read it to you. A I would like to hear it.

Q The treaty was made in 1830 between the United States and the Choctaw Indians in Mississippi and provided for the removal of the Choctaw Indians from Mississippi to the country west of the Mississippi River and to what is now the present Choctaw Nation in the Indian Territory. The United States Government was desirous of having the Choctaw Indians out of Mississippi and the Indians there wanted to get a country where they would not be encroached upon by the white people and where they would have free access to come and go as they pleased. The government gave them this country out here in exchange for the lands in Mississippi. It is provided however in the fourteenth article of the treaty as follows: "Each Choctaw head of a family, being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent, within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to each child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case, a grant in fee simply shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this Article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity." Do you claim under the provisions of that article of that treaty? A I suppose so, yes sir.

Q Do you or do you not? A I reckon so.

Q Do you or do you not? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q What was the name of your ancestor who resided in Mississippi in 1830 and who was at that time a recognized member of the Choctaw tribe of Indians in Mississippi? A I don't know only what I

Samuel Fisher 3.

have been told. Calib Fisher.

Q What relation was Calib Fisher to you? A A great great grand father of mine.

Q Was he a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A I could not say he was.

Q When did he leave Mississippi? A I don't know. I heard he died in Mississippi.

Q Did he take advantage of the provisions of the 14th article of the treaty of 1830? A I don't know.

Q Do you know anything about his Indian citizenship? A Only what I have been told.

Q Do you know whether any of your ancestors received or claimed any land in Mississippi? A No sir, I do not.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No, I reckon not.

Q Are you married? A Yes sir, I was.

Q What is the name of your wife? A Mary Fisher.

Q How old is she? A She would have been 45 now if she had lived. She has been dead two years.

Q She was a white woman? A Yes sir.

Q Where did you marry her? A In Texas.

Q When? A In 1873.

Q Have you your marriage license and certificate? A No sir, never did have one.

Q How were you married? A I just got the license from a fellow from Whitesboro and he brought them out and I was married and I never had them.

Q Never had it recorded? A Yes sir, recorded at Sherman.

Q You can get it there. It will be necessary for the Commission to be supplied with evidence of your marriage to Mary Fisher in the matter of the application for the identification of your children? A Yes sir.

Q What are the names and ages of your children? A Willie, a girl, 17 years old.

Q The next one? A A boy, Arthur, 15 years.

Q All right. A Grace is the next one. A girl, 12 years old. Ola -

Q Boy or a girl? A Girl, 10 years old.

Q Next? A Jesse.

Q A boy or a girl? A Boy, 8 years old.

Q All right? A Mary three years old.

Q Is that all? A That's all.

Q You are the father of these six children? A Yes sir.

Q Mary Fisher the mother of all six of them? A Yes sir.

Q These children all live with you at your home? A Yes sir.

Q Their claim has the same basis as yours? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A No, I suppose not.

Q Any written evidence you want to offer the Commission for consideration in support of this claim? A I have none here.

Q Do you want to file written evidence in the future? A That is for you to say whether it is necessary or not. I guess it is. How long will you give?

Q We will give you ten days from this date in which to file written evidence in support of this application.

The decision of the Commission as to your application and the application you make on behalf of your six minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post office address.

M
Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 13th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 14th day of November, 1900.

Guy L. Emerson
Notary Public.

Muskogee, Indian Territory, November 23, 1900.

Samuel Fisher,

Arbuka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 21st instant in which you state that it is impossible for you to present to the Commission all of your evidence in the time granted you and that you be allowed a few days additional in which to offer your written evidence.

You enclose in your letter the affidavit of A. B. Henderson which you request to be filed in support of your claim and the claim of your children for identification as Mississippi Choctaws.

The affidavit of A. B. Henderson has been duly filed with your application for identification as a Mississippi Choctaw and the Commission will grant your request of a few days additional time in which to file your other written evidence.

Yours truly,

Acting Chairman.

M. C. R-1035

Muskogee, Indian Territory, January 5, 1901.

Samuel Fisher,

Arbeka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of December 5, 1900, enclosing certified copy of the marriage license and certificate between Samuel N. Fisher and Mary S. Busby, offered by you for filing in the matter of your application for the identification of yourself and your six minor children as Mississippi Choctaws, and the same has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

M. C. R-1035

COPY.

M.C.R. 1035.

Muskogee, Indian Territory, July 18, 1902.

Samuel Fisher,

Arbeka, Indian Territory.

Dear Sir:

You are hereby advised that on the 18th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Calip Fisher, et al., embracing the following applications for identification as Mississippi Choctaw:

Calip Fisher, et al.,	M.C.R. 654
Eliza Higginbotham, et al.,	M.C.R. 1023
Jesse Fisher,	M.C.R. 656
Sarah Wilson, et al.,	M.C.R. 658
Thomas Fisher, et al.,	M.C.R. 657
Calvin Fisher, et al.,	M.C.R. 1034
William Fisher,	M.C.R. 665
Fella Hamilton,	M.C.R. 659
Martha Tice, et al.,	M.C.R. 655
Laura Jewell, et al.,	M.C.R. 869
Ellen Gertrude Latham, et al.,	M.C.R. 870
George Tice, et al.,	M.C.R. 666
William Tice, et al.,	M.C.R. 667
Samuel Fisher, et al.,	M.C.R. 1035
Pfife Wingo, et al.,	M.C.R. 1066
Della Foster,	M.C.R. 1067

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Calip Fisher, Clara Fisher, Eliza Higginbotham, Johnnie Higginbotham, Willie Higginbotham, Jesse Fisher, Sarah Wilson, Ethel Wilson, Lillian Wilson, Ben Wilson, Fay Wilson, Thomas Fisher, Anna Fisher, Bertha Fisher, Calip Fisher, Calvin Fisher, Eunice Alto Fisher, William Fisher, Ella Hamilton, Martha Tice, Charles Tice, Walter Tice, Jesse Tice, Martin Tice, Laura Jewell, William Jewell, Lillie Jewell, Lottie Jewell, Willard F. Jewell, Ellen Gertrude Latham, William Latham, Janie Latham, David Latham, George Tice, David Tice, William Tice, Oscar Tice, Samuel Fisher, Willie Fisher, Arthur Fisher, Grace Fisher, Ola Fisher, Jesse Fisher, Mary Fisher, Effie Wingo, Mary Wingo, Oscar Wingo, Dow Wingo, Birdie Wingo, and Della Foster, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

J. E. Wallace.
Commissioner in Charge.

Registered.

COPY. H.C.R. 1035.

Muskogee, Indian Territory, October 8, 1902.

Samuel Fisher,

Arbuka, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippian Ghosts of the several persons included in the consolidated case of Calip Fisher, et al., of which decision you were advised by registered mail on the 18th day of July, 1902.

Respectfully,

(Signed)

Wm. L. Dwy.

Acting Chairman.

MCR 1034

COPY

Muskogee, Indian Territory, December 14, 1906.

Samuel Fisher,

Arbeka, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on December 5, 1906, denied the petition filed under the Act of Congress approved April 26, 1906, by Calip Fisher, of Tishomingo, Indian Territory, for the reopening of the consolidated Mississippi Choctaw case of Calip Fisher, et al.

Respectfully,

SIGNED *Tams Bixby.*
Commissioner.

No. 1035

For Identification as a Mississippi Choctaw.

Date NOV 13 1900

Name Samuel Fisher.

Age 46 Blood 1/32.

Post Office Arbela, A. T.

Father: Furnace Fisher - dead.

Mother: Elizabeth Fisher - dead.

Claims through father.

WIFE:

Mary Fisher - dead.

Children:

Willie Fisher 17

Arthur " " 15

Grace " " 12

Ola " " 10

Jesse " " 8

Mary " " 3.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 13 1900


ACTING CHAIRMAN

G. O. Number 10730-1900.
Samuel Fisher, Arbeka, I.T.
December 6, 1900.

M. C. R 1000. Samuel Fisher
et al.

Samuel Fisher, 46 years old,
of Arbeka, I.T. on November 13,
1900, appeared before the Com-
mission at Washoe, I.T. and
applied for identification of
himself and six children as
Mississippi Choctaws. No judg-
ment has been rendered in
this case.

Atoka, January 4, 1901.

AB

Choc. MCR 1036

John N. Petray

See MCR 1037, 1038, 1039, 645

MCR 1036

John N. Petray et al

REFUSED

DECISION MADE JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT.

JUN 18 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

32

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 21 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 002

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

002

REFER TO M. C. R. 1037, 1038.

1029. 645

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 15, 1900.

In the matter of the application for identification as
Mississippi Choctaws of John N. Petray and his two minor children.
John M. Petray being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A John N. Petray.
Q What is your age? A I was born in '44, November 20th.
Q About 56 years old then? A Yes sir.
Q What is your post-office address? A Graham, I. T.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided in the Indian Territory? A I
have been living in the Chickasaw Nation 12 years right there at
Graham eleven years.
Q Where did you live prior to that time? A Come from the
old reservation four miles below Dardenelle, Arkansas, before I
came to the Indian Territory.
Q How long did you live in Arkansas? A Several years down
there I reckon. I will be dogged if I can tell you because I was
carried there when I was quite young and I left there when I was
about grown.
Q Where did you live before that? A I was born close to
Fort Smith on Poteau.
Q What is your father's name? A Daniel Petray.
Q Is he living? A No sir.
Q What was your mother's name? A Elizabeth Petray after she
was married.
Q Is your mother living? A No sir, her maiden name was
Sassamar, Elizabeth Sassamar before she was married.
Q Through which one of your parents do you claim your Choctaw
blood? A From my mother.
Q How much Choctaw blood do you claim? A One eighth.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw Nation? A Well sir, I couldn't tell you. I guess it was.
I think it was.
Q Why do you think your mother's name was on the Choctaw
tribal rolls? A Well they come from Mississippi to Arkansas
several years ago.
Q How long ago? A I couldn't tell you. I was born out of
Fort Smith in the Choctaw Nation. They come there before I was born.
I couldn't tell you just when but in an early day.
Q Was your mother a recognized member of the Choctaw tribe
of Indians in Mississippi in 1830? A Why I suppose they was when
they lived there. Come from Tallahatchie River, Mississippi in
betwixt the mother of Tallahatchie River and old Buzzard's Roost is
where they come from.
Q Have you any evidence showing that your mother was ever a
recognized member of the Choctaw tribe of Indians. A Well, yes
sir I can get the evidence to show she was.
Q What does your evidence consist of? A Of some of the
old Indian tribes recognized my grand mother before they left that
country.
Q What was the name of your grand mother? A She was - my
grand mother she was a Dryel before she married Sassamar. My grand
mother was a half breed Choctaw.

John M. Petray 2

Q Was she recognized by the Choctaws as an Indian? A Yes sir she was. It shows from the record. I was educated and taught that all the way through life.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A Why, it ought to be.

Q Well, is it? A Well, I reckon it is because they taken taken the census two or three times and I give in myself and children every time they come through for the last two or three years. They taken the census there in the Chickasaw Nation, taken our names six or seven years ago.

Q What roll of Choctaw citizens do you claim that your name is on? A Why, when they taken the census they come through since I lived at Graham. They come through taking the census twice.

Q What year was that? A I will be dogged if I can tell you it has been several years ago. I have been living there 11 years and they have been there taking census twice in 11 year. Colbert I think was the last one through there taking the census. He was wanting to get the rolls of Choctaws and he come to Graham and taken the names of myself and four children.

Tribal rolls ~~in~~ of the citizens of the Choctaw Nation, in the possession of the Commission, examined and the name of the applicant does not appear thereon.

Q Q How do you spell your name? A Petree or Petray, some spells it. My father was a German.

Q How were you recognized and enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities if you claim to be a German? A My mother was a Choctaw.

Q Have you been enrolled by the Choctaw tribal authorities?

A Now if they had I wouldn't have had to come here would I?

Q Did you ever draw any money from the Choctaw Nation? A No sir, my mother and father did when I was small at old Doaksville. They went there when I was little. They used to go up to the Council.

Q How long ago has that been? A Several years ago when I was a little fellow.

Q Give some definite time? A I am 56 years old and I don't suppose I could have been more than 10 or 12 years old when I recollect about them going up there. I was raised in Arkansas in a mile of Dwight Mission. In Arkansas when that was a Territory.

Q Did you ever make application to the Choctaw tribal authorities in the Indian Territory for citizenship in the Choctaw Nation? A Yes sir.

Q When? A I went to Telle at Pauls Valley when he went through there, I forget what year it was and presented myself to be enrolled as a Choctaw and he told me that I didn't have no identification with me. I hadn't been in this country long. Had never been at Pauls Valley before and had no one with me to recognize me and he told me to go to Tushkahomma and me and old Jack Burris we went together and Council couldn't take our cases up. I went home and never went before Council any more.

Q Then you have never been admitted to citizenship in the Choctaw Nation by the tribal authorities of that Nation? A Never more than that.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A Was that the time the Dawes Commission first come through?

Q Yes. A I did not. I had business at Fort Smith and didn't get back in time.

Q Not when they were passing through the country. When the Commission heard original applications for citizenship in 1896, four years ago? You didn't have to go in person before them. Have you ever made application for citizenship to this Commission? A Yes sir I took my family to Ardmore when they was there and had a talk

John M. Petray 3

with Arch McKennon myself, I am well acquainted with him and he said, "Mr. Petray, we have come here to enroll the people that was on the old roll and it would be but little use for you to bring your family into the office. You had better just take your case before the United States Court or wait until some other time. We cannot take a case that is not on the old roll." My family was right there then and my lawyer said "We will not go any further and will just stop." That was the last time they come there there.

Q What year was that? A Wasn't it three years ago this summer or two years ago. Three years ago. No two years ago I think it was this fall.

Q Then you never did make application to the Commission in 1896 and never were admitted by a judgment of Court? A In 1896?

Q Have you ever been admitted by judgment of the United States Court for the Indian Territory? A No sir, I never carried my case to the court. If I couldn't be made a citizen by Indian authorities I thought I would not be made a citizen by the government.

Q Your name is not on the Choctaw roll? A No sir.

Q Your application you made to the Choctaw tribal authorities at Council was not acted upon? A Never went back there any more.

Q You didn't make application in 1896, four years ago, to this Commission? A Why no I wasn't here. I had gone back to Fort Smith on business. I wasn't here.

Q Never have been admitted by a judgment of court? A If I had I wouldn't have -----

Q Now when you went before the Commission at Ardmore did you personally appear before them and testify? A No, I didn't go in. He told us not to go any further. McKennon did. He said it wasn't any use. They couldn't take us. They had had quite an argument over that. We were there but we did not go in there that time because Arch McKennon told me it wouldn't be worth while. He couldn't -- they had had an argument over that and he said "xx you had better take your case to the United States Court."

Q What you want to do now is to make application for identification as a Mississippi Choctaw? A Yes sir, that's what I come here for.

Q Are you making your application under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A What was that provision. If you will read it to me I can tell you.

Q The treaty was entered into between the United States and the Choctaw Nation on the 27th day of September, 1830, providing for the removal of the Choctaw Indians who were then residents of the state of Mississippi to the present Indian Territory that was the country that was ceded to them north of Red River and south of the Canadian and Arkansas Rivers. In consideration of the Choctaws giving up their land in Mississippi the government gave them this which is now the Choctaw Nation but they agreed if any of them wanted to remain in Mississippi that they could do so under the provisions of the 14th article of that treaty which is as follows: "Each Choctaw head of a family, being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent, within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one-half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to each child as may be under ten years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case, a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this Article shall not lose the privilege of a Choctaw citizen,

John N Petray 4

but if they ever remove are not entitled to any portion of the Choctaw annuity." Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A Not as I know of. My father and mother and grand mother left that country after the treaty but I have always been taught by my mother that she left that country, that the treaty was made in 1833, May the 27th and they left there after that. That is the way I have always been taught by her, and come to Arkansas and it was a reservation and then my father come into the Choctaw Nation and lived up there not far from Fort Smith on Poteau and after I was born and a right small boy him and his brother went back to the old Indian college and run mills. I went to school there while I was little but after that it all died down and that reservation was known as the Lovely Reservation.

Q Did your parents leave Mississippin in 1833? A After that

Q How long after that? A I aint right certain but I think they left there in a year or two after that.

Q Where did they come to from Mississippi? A They come into Arkansas.

Q How long did they stay in Arkansas? A My grand mother never did go no further. My mother went on into the Choctaw Nation.

Q How long did they stay in Arkansas? A I couldn't tell you because my mother went back there and died there and my grand mother too.

Q Were they ever recognized by the Choctaw Indians in the Indian Territory as members of that tribe of Indians? A Well, yes sir.

Q How were they recognized? A By the people.

Q Were they ever recognized by the Choctaw tribal authorities?

A I suppose they was.

Q Did they draw annuities with the Choctaw Indians in the Indian Territory? A I reckon they did?

Q Can you prove it? A I reckon I can.

Q How can you prove it? A By old Indians who knew my mother and father.

Q Have you any of them here? A No but they are in the country and will swear they knowed my mother.

Q Are they living in the Choctaw Nation, Indian Territory?

A In the Chickasaw Nation.

Q This is where your mother and grand mother drew money? A In the Choctaw Nation.

Q In the present Indian Territory? A Yes sir, that is the way I have always been taught.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not as I know of, sir.

Q Do you make any claim by reason of any other treaty stipulations entered into between the United States and the Choctaw Indians? A Nothing more only just what I have told you, only I am one eighth Choctaw by my mother.

Q Do you claim under any other treaty stipulation between the United States and the Choctaw Indians? A I don't know. I am not posted on the law and I don't know how to answer that question.

Q Are you married? A Yes sir.

Q What is your wife's name? A Ada Petray since I married her. Her name was Ada Cannon when I married her.

Q Is she living? A Yes sir. I married her under the United States law.

Q When were you married to her? A She was my last wife. Three years ago last September.

Q You are not making any application for her? A No sir.

Q Is she the mother of the two children for whom you make application? A One of them, the youngest one.

Q Have you your married license and certificate? A I didn't bring them with me.

Q It will be necessary for the Commission to be supplied either with the original or certified copy of your marriage license and certificate to her in the matter of the identification of the

John N. Petray 5

child of whom she is the mother. A Well I can send it here to Mr. Heard and he can present it to you. I got the license three years ago last September.

Q Have you any children under 21 years of age and unmarried for whom you desire to make application? A Yes sir.

Q What are their names and ages? A By my first wife, Lawrence Jackson, 17 years old. That is my baby boy by my first wife.

Q Who is the mother of this boy? A Her name was Willie Faraby Petray.

Q She's dead? A Yes sir, she's been dead several years. Died when these children was all small.

Q What is the name of your other child? A Lula Pearl.

Q How old? A Two years old last July.

Q Ada Petree is the mother of this child? A Yes sir.

Q Both of these children live with you at your home? A My son stays with me some times. He makes my place his home but he is out and in.

Q What do you mean by out and in. A He comes and goes as he pleases.

Q Has he any other home but yours? A He stays with my daughter part of the time. On the same place, on my farm though.

Q The claim that you make for these children is identical with your own claim? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A I don't know that there is, only just that these three girls here is my own daughters.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of this application? A Not now. If you want I can furnish any written evidence that is required.

Q How much time do you want? A Twenty days I can get home and have the affidavits send back to you right away.

Permission is granted the applicant to file written evidence in support of this application provided the same is filed within twenty days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws will be mailed to you in writing to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 15th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 16th day of November, 1900.

Guy L. Emerson
Notary Pub Lic.

C.W.
C.O.W.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John N. Petray,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

John N. Petray, et al.....M.C.R. 1036
Ida Bell Platt, et al.....M.C.R. 1037
Mary Alice Martin, et al.....M.C.R. 1038
Luella Reed, et al.....M.C.R. 1039
Lucinda Catharine Jackson, et al...M.C.R. 645.

--: D E C I S I O N :--

It appears from the record herein that applications
for identification as Mississippi Choctaws were made to this Commis-
sion, by John N. Petray, for himself and his two minor children,
Lawrence Jackson and Lula Pearl Petray; by Ida Bell Platt, for
herself and her minor child, Della Platt; by Mary Alice Martin, for
herself and her two minor children, Ora May and Otha Bell Martin; by
Luella Reed, for herself and her minor child, Elmer Guy Reed; and by

(2).

Lucinda Catharine Jackson, for herself and her five minor children, James Monroe, Mary Dellar, Sarah Alice, Lily Maybelle and Pearlle Jackson, under the following provision of the act of Congress approved June 10, 1896, (30 Stats., 495).

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Eliza Sassamer (nee Dryel), who is alleged to have been a half-blood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

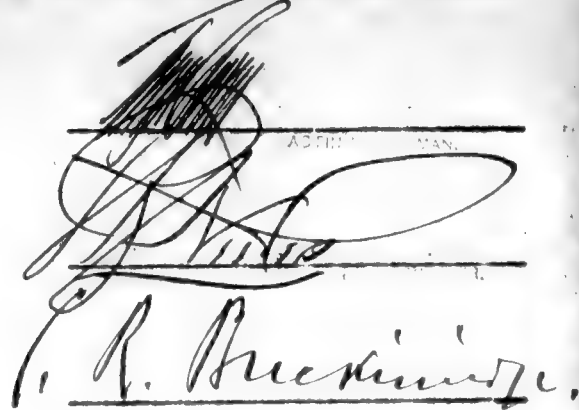
It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the

(5).

treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Eliza Sassamer (nee Dryel) or any of the applicants herein, signified (in person or by proxy) to Colonel W. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen of presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 130), and August 22, 1842, (5 Stats., 513).

It is, therefore, the opinion of this commission that the evidence herein is insufficient to determine the identity of John M. Petray, Lawrence Jackson Petray, Lula Pearl Petray, Ida Bell Platt, Della Platt, Mary Alice Martin, Ora May Martin, Otha Bell Martin, Luella Reed, Elmer Guy Reed, Lucinda Catharine Jackson, James Monroe Jackson, Mary Dellar Jackson, Sarah Alice Jackson, Lily May-belle Jackson and Pearl Jackson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


J. R. Buchanan

Muskogee, Indian Territory,

JUN 10 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John N. Petray,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

John N. Petray, et al.....M.C.R. 1036
Ida Bell Platt, et al.....M.C.R. 1037
Mary Alice Martin, et al.....M.C.R. 1038
Luella Reed, et al.....M.C.R. 1039
Lucinda Catharine Jackson, et al...M.C.R. 645.

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
John N. Petray, et al.

Original application of John N. Petray
et al., to the Dawes Commission for identification as Mississippi Choctaws.....1

Original application of Ida Bell Platt,
et al., to the Dawes Commission for identification as Mississippi Choctaws.....6

Original application of Mary Alice Martin,
et al., to the Dawes Commission for identification as Mississippi Choctaws.....9

(2).

Original application of Luella Reed, et al., to the Dawes Commission for identification as Mississippi Choctaws.....15

Original application of Lucinda Catharine Jackson, et al., to the Dawes Commission for identification as Mississippi Choctaws..15

Decision of the Commission denying the applications of John N. Petray, et al., Ida Bell Flatt, et al., Mary Alice Martin, et al., Luella Reed, et al., and Lucinda Catharine Jackson, et al., for identification as Mississippi Choctaws.....18.

-----;

John N. Petray
etal

Consolidated Case

Eliza Dryel 1/2
mar
Jassamer

Elizabeth Jassamer
mar.
Daniel Petray, w.

John N. Petray 56 1/8
wife

1st Willie Farady Petray
2nd Ada Petray

Mary Petray
mar
Thomas Reagan

Ida Bell Petray 27 1/6
mar.
John Flatt, 1/8

Mary Alice Petray 24 1/6
mar.
George Martin, a

Luella Petray 21 1/6
mar
Austin Reed, w.

Laurence Jackson Petray 17
Reba Pearl Petray 2

Lucinda Catharine Reagan
mar
Newton Thornton Jackson

Delia Flatt 7

Era May Martin 5
Otha Bell Martin 7

Elmer Guy Reed 2

James Monroe Jackson 14
Mary Decker Jackson 12
Sarah Alice Jackson 9
Lily Mabel Jackson 6
Pearlie Jackson 1

Muskogee, Indian Territory, August 17, 1901.

Mr. H. H. Brown,

Ardmore, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 9, in which you ask to be advised as to what disposition has been made of the application of John N. Petray, of Graham, Indian Territory.

In reply to your letter you are advised that it appears from our records that on November 15, 1900 John N. Petray, of Graham, Indian Territory, appeared before the Commission at Muskogee, Indian Territory and applied for identification of himself and two minor children as Mississippi Choctaws.

No action has yet been taken in regard to this application. When a decision is rendered a copy of the same, stating fully therein the reasons for any action taken by the Commission, will be mailed to the applicant at his present post office address.

Yours truly,

M.C. 1036.

M.C.R. 1036

COPY.

Muskogee, Indian Territory, June 18, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the consolidated case of John W. Petray, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of June 10th, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission.

John W. Petray, et al.....	M.C.R. 1036
Ida Bell Platt, et al.....	M.C.R. 1037
Mary Alice Martin, et al.....	M.C.R. 1038
Luella Reed, et al.....	M.C.R. 1039
Lucinda Catharine Jackson, et al.....	M.C.R. 845

The Commission has the honor to report that the principal applicants in the several separate applications, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Through the Commissioner
of Indian Affairs

(SIGNED).

T. D. J. Needles.

1 enclosure

Commissioner in Charge.

M.C.R. 1036

Muskogee, Indian Territory, June 18, 1902.

Messrs. Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John W. Petray, et al., embracing the following applications for identification as Mississippi Choctaws:

John W. Petray, et al.....	M.C.R. 1036
Ida Bell Platt, et al.....	M.C.R. 1037
Mary Alice Martin, et al.....	M.C.R. 1038
Lucella Reed, et al.....	M.C.R. 1039
Lucinda Catharine Jackson, et al.....	M.C.R. 645

These applications were made under the provision of the act of Congress of June 26, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of

M.M.&C.-----S.

John N. Petray, Lawrence Jackson Petray, Lula Pearl Petray, Ida Bell Platt, Della Platt, Mary Alice Martin, Ora May Martin, Otha Bell Martin, Luella Reed, Elmer Guy Reed, Lucinda Catharine Jackson, James Monroe Jackson, Mary Dellar Jackson, Sarah Alice Jackson, Lily Maybelle Jackson and Pearl Jackson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *T. B. Needles.*

Registered.

Commissioner in Charge.

COPY

M.C.R. 1036

Muskogee, Indian Territory, June 18, 1902.

John M. Petray,

Muskogee, Indian Territory.

Dear Sir:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John M. Petray, et al., embracing the following applications for identification as Mississippi Choctaws:

John M. Petray, et al.....	M.C.R. 1036
Ida Bell Platt, et al.....	M.C.R. 1037
Mary Alice Martin, et al.....	M.C.R. 1038
Luxilla Reed, et al.....	M.C.R. 1039
Lucinda Catharine Jackson, et al.....	M.C.R. 645

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John M. Petray, Lawrence Jackson Petray, Lula Pearl Petray, Ida Bell Platt, Della Platt, Mary Alice Martin, Ora May Martin,

J.N.P.-----2,

COPY.

Otha Bell Martin, Luella Reed, Elmer Guy Reed, Lucinda Catharine Jackson, James Monroe Jackson, Mary Dellar Jackson, Sarah Alice Jackson, Lily Maybelle Jackson and Pearlle Jackson, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

- - - COPY - - -

Land

36767-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Oct. 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to submit herewith for your consideration the consolidated Mississippi Choctaw case of John N. Petray, et al., for identification as Mississippi Choctaws, which was determined adversely to the applicants by the Commission to the Five Civilized Tribes on June 10, 1902.

The examination in this case shows that they claim their right to identification as Mississippi Choctaws through their descent from Elizabeth Bryel, who became by marriage Elizabeth Sassamer. The applicants claim that this ancestor whom they name was a member of the Choctaw tribe of Indians in Mississippi in 1830, and that her daughter married one Petray and through that marriage became the mother of the heads of families who are applicants in this case. As to whether she complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830 they have no direct evidence but rely on their descent from her as their sole ground

for claiming a right to identification at this time.

An examination of the records of this office shows that neither Elizabeth Bryel nor Elizabeth Sassamer were among those who complied or attempted to comply with the 14th article of the treaty of 1830.

I therefore recommend that the finding of the Commission adversely to the claims of John N. Petray and his two minor children, Lawrence Jackson and Lula Pearl Petray; Ida Belle Flatt and her minor child Della Flatt; Mary Alice Martin and her children Ora May and Otha Belle Martin; Luella Reed and her minor child Elmer Guy Reed; Lucinda Catharine Jackson and her minor children James Monroe, Mary Dellar, Sarah Alice, Lily Maybelle and Pearlle Jackson, be confirmed and that a judgment of rejection be entered against them.

Very respectfully,

Your obedient servant,

A. G. Tonner,

Acting Commissioner.

E.B.H. (S)

- - - COPY - - -

D.C. 19735.

EAF.

LR.S.

DEPARTMENT OF THE INTERIOR.

Washington,

ITD. 6345-1902.

October 21, 1902.

Commission to the Five Civilized Tribes,
Muskogee, I.T.

Gentlemen:

June 18, 1902, you transmitted the consolidated case involving the applications for identification as Mississippi Choctaws, of John N., Lawrence Jackson and Lula Pearl Petray; of Ida Bell and Della Flatt; of Mary Alice, Ora May and Otha Bell Martin; of Luella and Elmer Guy Reed; and of Lucinda Catharine James Monroe, Mary Dellar, Sarah Alice, Lily Maybelle and Pearlle Jackson.

The applicants endeavor to trace their descent from one Eliza Sassamer (nee Dryel), who is alleged to have been a half blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Eliza Sassamer complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the Acts of March 3, 1837, (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the applications June 10, 1902.

- - - 2 - - -

The Acting Commissioner of Indian Affairs forwarded the case October 13, and recommended approval of your decision. A copy of his letter is inclosed.

After a careful review of the entire record, the Department affirms your decision.

Respectfully,

E. A. Hitchcock,

Secretary.

E.M.D.

1 Inclosure.

M.C.R. 1036

002

Muskogee, Indian Territory, November 7, 1902.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 21st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John W. Petray, et al., of which decision you were advised by mail on the 18th day of June, 1902.

Respectfully,

Tamc Dixby.
Acting Chairman.

M. C. R. 1036

COPY.

Muskogee, Indian Territory, November 7, 1902.

John N. Petray,
Graham, Indian Territory.

Dear Sir:

You are hereby advised that on the 21st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John N. Petray, et al., of which decision you were advised by registered mail on the 18th day of June, 1902.

Respectfully,

Yours,

Tamm Dixey.
Acting Chairman.

1036

For Identification as a Mississippi Choctaw.

Date NOV 15 1900
Name John N. Petray.
Age 56 Blood 1/8
Post Office, Graham, I. T.
Father: Daniel Petray - dead.
Mother: Elizabeth Petray - dead.
Claims through mother

WIFE:

Ada Petray - ✓
(No claim for wife).

Children:

* Laurence J. Petray 17.

MOTHER:

Willie F. Petray - dead.
* Lula Pearl Petray 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 15 1900

ACTING CHAIRMAN.

Choc. MCR 1037

Ida Bell Flatt

See MCR 1036

MCR 1037

Labell Platt et al

REFUSED

DECISION RENDERED

JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT.

JUN 13 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUN 13 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF THE INTERIOR.

OCT 21 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

62

REFER TO M. C. R. 1036

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 15, 1900.

On the matter of the application for identification as Mississippi Choctaws of Ida Bell Flatt and her minor child. Ida Bell Flatt being duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Ida Bell Flatt.
Q What is your age? A My age is 27.
Q What is your post-office address? A Lewiston.
Q Where is that? A Kickapoo Territory.
Q What state is that in? A In the Territory on the edge of Oklahoma. We are not living there we have just gone up there on account of his health. My husband's health. We live in the Chickasaw.
Q How long are you going to stay there? A We may not stay there a month after I go home.
Q Where is your home? A Graham is the post-office.
Q How long have you been in Oklahoma? A Four months.
Q Where did you live before that? A Chickasaw near Graham.
Q How long did you live there? A Eleven years.
Q Where did you live prior to that time? A Texas.
Q How long did you live in Texas? A Two years lacking a little.
Q Where did you live prior to your residence in Texas? A In Arkansas.
Q How long did you live in Arkansas? A I am 27 years old, lived in the Chickasaw ~~in~~ eleven years and two years in Texas and the rest of the 27 years in Arkansas.
Q You were born in Arkansas? A Yes sir.
Q Lived there until you removed to Texas? A Yes sir.
Q When you were in the Indian Territory were you a recognized citizen by any of the tribal authorities? A No sir.
Q How much Choctaw blood do you claim? A One sixteenth, I reckon.
Q What is your father's name? A John N. Petray.
Q Is your father living? A There he sits right there.
Q What was your mother's name? A Willie Faraby Petray.
Q Is your mother's living? No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My father.
Q Your father's name ever on any of the tribal rolls of the Choctaw Nation? A Not that I know of.
Q Was your father ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir, I reckon not. I couldn't tell you to be honest I don't know.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of the citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Ida Bell Flatt 2

Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of the Choctaw Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to the Dawes Commission in 1896 for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw Indian? A No sir, none whatever.

Q Has any application ever been made for you? A No sir not unless he made it.

Q Did your father make application to the Choctaw tribal authorities for you at the time he applied for himself? A No sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A Well, I have been raised that way and taught that I was of that tribe and that is all I can tell you.

Q Are you making your claim as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I can't answer that. I reckon I am.

Q Are you or are you not. Do you claim under the fourteenth article that you have just heard read? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A No sir.

Q What was the name of your ancestor who was a member of the Choctaw tribe of Indians in Mississippi in 1830? A Eliza Dryels.

Q Have you any evidence showing that Eliza Dryels was ever a recognized member of the Choctaw tribe of Indians? A Not that I know of.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No sir.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A John Flatt.

Q Are you making any claim for your husband? A No sir.

Q Is he a white man? A No sir, he's a native.

Q A Choctaw Indian? A Yes sir.

Q A recognized and enrolled member of the Choctaw Nation?

A No sir, but he himself- he hasn't been enrolled nor never has tried to be but he is a native. One eighth a native.

Q What do you mean by a native? A One eighth Choctaw Indian

Q Never has been enrolled by the Choctaw tribal authorities?

A No sir, he hasn't.

Q When did you marry him? A I married him in 1893.

Ida Bell Flatt 3

Q Where? A Three miles of Graham in the Chickasaw Nation.
Q Have you any children? A One.
Q What is the name and age of your child? A Della Flatt,
seven years old this coming May, the 15th.
Q Is that all? A Yes sir.
Q You are the mother of this child? A Yes sir.
Q John Flatt is the father? A Yes sir.
Q This child lives with you? A Yes sir.
Q Is there any additional state you desire to make in support
of this application? A No sir.
Q Is there any written evidence you desire to offer the Com-
mission for consideration in support of this application? A No
sir.
Q Will there be any? A Yes sir, I reckon so.
Q How much time do you want in which to file it? A Twenty
days. We are all together and what one does we will all do also.

Permission is granted the applicant to file written
evidence in support of this application provided
the same is filed within twenty days from the date
hereof.

The decision of the Commission as to your application and
the application you make on behalf of your minor child for identifi-
cation as Mississippi Choctaws, will be mailed to you in writing
in the near future to your present post-office address.

A Mail it to Graham, I. T.
Q All right.

Myra Young, having been first duly sworn upon her oath
states that as stenographer to the Commission to the Five Civilized
Tribes, she reported in full all proceedings had in the above en-
titled cause on the 15th day of November, 1900, and that the above
and foregoing is a full, true and correct transcript of her
stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 16th day of November, 1900.

Guy L. V. Emerson
Notary Public.

COPY.

M.C.R. 1037

Muskogee, Indian Territory, June 18, 1902.

Ida Bell Platt,

Graham, Indian Territory.

Dear Madam:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John N. Petray, et al., embracing the following applications for identification as Mississippi Choctaws:

John N. Petray, et al.....	M.C.R. 1036
Ida Bell Platt, et al.....	M.C.R. 1037
Mary Alice Martin, et al.....	M.C.R. 1038
Luella Reed, et al.....	M.C.R. 1039
Lucinda Catharine Jackson, et al.....	M.C.R. 645

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 498) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John N. Petray, Lawrence Jackson Petray, Lula Pearl Petray, Ida Bell, Platt, Della Platt, Mary Alice Martin, Ora May Martin,

I.B.N.-----2.

Otha Nell Martin, Luella Reed, Elmer Guy Reed, Lucinda Catharine Jackson, James Monroe Jackson, Mary Dellar Jackson, Sarah Alice Jackson, Lily Maybelle Jackson and Pearl Jackson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

T. B. Needles.

Registered,

Commissioner in Charge.

M. C. R. 1037

Muskogee, Indian Territory, November 7, 1902.

Ida Bell Flatt,
Graham, Indian Territory.

Dear Madam:

You are hereby advised that on the 21st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John N. Petray, et al., of which decision you were advised by registered mail on the 18th day of June, 1902.

Respectfully,

(SIGNED)

James T. Smith
Acting Chairman.

1037
For Identification as a Mississippi Choctaw.

Date NOV 15 1900

Name *Ida Bell Pratt.*

Age *27* Blood *1/16*

Post Office, *Lewisport, O. O.*

Father: *John N. Petray - ✓*

Mother: *Willie F. Petray - dead*

Claims through *father*

HUSBAND:

John Pratt - ✓

(No claim for husband).

Children:

Rella Pratt 7.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 15 1900



ACTING CHAIRMAN.

*Send judgment to
Graham, J. O.*

Choc. MCR 1038

Mary Alice Martin

See MCR 1036

MCR 1038

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 15, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Mary Alice Martin and her two minor
children. Mary Alice Martin being duly sworn by the Commission,
testified as follows:

Examination by the Commission.

Q What is your name? A Mary Alice Martin.
Q What is your age? A 24 this coming December.
Q What is your post-office address? A Graham.
Q Where is that? A In the Chickasaw Nation.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A I have been here
eleven years.
Q Maintained a continuous residence in the Indian Territory
for eleven years? A Yes sir. Been right there within five miles
of where I am now.
Q Where did you live before that? A In Texas.
Q How long did you live in Texas? A Near about 2 years.
Q Where did you live prior to that time? A In Arkansas.
Q How long did you live in Arkansas? A I don't know. I was
born in Arkansas.
Q And lived there all your life until you moved to Texas?
A Yes sir.
Q What is your father's name? A John N. Petray.
Q Is your father living? A Yes sir, there he is.
Q What is your mother's name? A Willie Faraby Patrey.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw
blood? A Father.
Q How much Choctaw blood do you claim? A I claim one
sixteenth.
Q Your father's name ever on any of the tribal rolls of the
Choctaw Nation? A I reckon not. I don't know. You needent ask
me such questions as that. I don't know anything about it only
what he has told me.
Q Your father ever recognized by the Choctaw tribal authori-
ties as a citizen of the Choctaw Nation? A No sir, I reckon not.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of the citizens of the Choctaw Nation
in the possession of the Commission examined and
the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir,
never did.
Q Have you ever been recognized by the Choctaw tribal authori-
ties - by any official act of their National Council as a citizen
of the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make appli-
cation to this Commission for citizenship in the Choctaw Nation -
A No sir.

Mary Alice Martin 2

Q - under the act of Congress of June 10th, 1896? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory? A No sir.

Record of applicants for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the name of the applicant does not appear thereon.

Record of parties admitted to citizenship in the Choctaw Nation by the United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A No sir.

Q This is your first application of any description? A Yes sir, my first.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A I have always been taught that I was a Choctaw and been raised.

Q Are you making your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A No sir, not as I know of.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of the Choctaw tribe of Indians? A Eliza Dryel.

Q Was Eliza Dryel a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A Yes sir.

Q When did she leave Mississippi? A I don't know when she left.

Q Do you know anything about her Indian citizenship? A No sir, I don't know a thing.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not as I know of. No sir, I don't reckon she did.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaws? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A George Martin.

Q Making any claim for him? A No sir.

Q Is he a white man? A Yes sir.

Q When did you marry him? A In 1893

Q Where? A Graham, Indian Territory.

Q Have you any children? A Yes sir.

Q How many? A Two.

Q What are the names and ages of your children? A Ora May Martin.

Q How old is that child? A Five years old in December.

Q The next one? A Otha Bell Martin.

Q How old is that one? A Seven months old.

Q Are you the mother of both these children? A Yes sir.

Q Is George Martin the father? A Yes sir.

Q These children live with you at your home? A Yes sir.

Q Is there any additional statement you desire to make in support of your application? A No sir, not as I know of.

Mary Alice Martin 3

Q Is there any written evidence that you desire to offer the Commission for consideration in support of this application?

A No sir, not as I know of.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 15th day of November, 1900 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 16th day of November, 1900.

Guy L. V. Emerson
Notary Public.

COPY.

M.C.R. 1038

Muskogee, Indian Territory, June 18, 1902.

Mary Alice Martin,
Graham, Indian Territory.

Dear Madam:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John N. Petray, et al., embracing the following applications for identification as Mississippi Choctaws:

John N. Petray, et al.....	M.C.R. 1036
Ida Bell Platt, et al.....	M.C.R. 1037
Mary Alice Martin, et al.....	M.C.R. 1038
Luella Reed, et al.....	M.C.R. 1039
Lucinda Catharine Jackson, et al.,	M.C.R. 1040

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John N. Petray, Lawrence Jackson Petray, Lula Pearl Petray, Ida Bell Platt, Della Platt, Mary Alice Martin, Ora May Martin,

M.A.N.-----

Otha Bell Martin, Luella Reed, Elmer Guy Reed, Lucinda Catharine Jackson, James Monroe Jackson, Mary Dellar Jackson, Sarah Alice Jackson, Lily Maybelle Jackson and Pearl Jackson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

I. B. Needles.

Registered,

Commissioner in Charge.

M. C. R. 1038

COPY.

Muskogee, Indian Territory, November 7, 1902.

Mary Alice Martin,
Graham, Indian Territory.

Dear Madam:

You are hereby advised that on the 21st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John W. Petray, et al., of which decision you were advised by registered mail on the 18th day of June, 1902.

Respectfully,

Acting Chairman.

No. 1038

For Identification as a Mississippi Choctaw.

Date NOV 15 1900

Name Mary Alice Martin.

Age 24 Blood 1/16

Post Office, Graham, I. T.

Father: John W. Petray - ✓

Mother: Willie T. Petray - dead.

Claims through father.

HUSBAND:

George Martin
(No claim for husband).

Children:

Ora May Martin 5.

Otha Bell " 7mo.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 15 1900



ACTING CHAIRMAN.

Choc. MCR 1039

Luella Reed

See MCR 1036

MCR 1039

Luella Reed et al

REFUSED

DECISION RENDERED.

JUN 10 1902

NOTICE OF DECISION MAILED APPLICANT.

JUN 18 1902

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.**

RECORD FORWARDED DEPARTMENT.

JUN 18 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 21 1902

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.**

NOV 1 1902

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.**

NOV 7 1902

REFER TO M. C. R. 1036

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,
November 15, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Luella Reed and her minor child. Luella
Reed being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A, Luella Reed.
Q What is your age? A Twenty one.
Q What is your post-office address? A Katie.
Q Indian Territory? A Yes sir.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A ~~ix~~ Eleven years.
Q Continuously for the past 11 years? A Yes sir/ I have
been out a little bit about two years. When we was first married
we was gone a while and then I was out at school a while. Out two
years.
Q Where did you live prior to your residence in the Indian
Territory? A Texas.
Q How long did you live in Texas? A Two years.
Q Where did you live before that? A I was borned in Texas
in Montague County and moved from there to Arkansas and then went
to the Nation.
Q You were born in Texas? A Yes sir.
Q 21 years ago? A Yes sir.
Q How long did you live in Texas before you moved to
Arkansas? A I was a young baby. I was born in Texas and paw went
right on back to Arkansas.
Q What is your father's name? A John N. Petray.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Willie Faraby Petray.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your
Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Was your father's name on any of the Choctaw tribal rolls?
A No sir, I reckon not.
Q Was your father ever recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.
Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant does not appear thereon.

- Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their National Council as a
citizen of that Nation? A No sir.

- Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation under
the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896,
examined and the name of the applicant does not

Luella Reed 2

appe ar thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts of the Indian Territory? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States court for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A I was always raised- I was taught that and I was raised up that way and that is the reason I believe it.

Q You are making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A No sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw tribe of Indians and who was at that time a recognized member of that tribe? A Eliza Dryels.

Q Was Eliza Dryels ever a recognized member of the Choctaw tribe of Indians in Mississippi? A No sir. Yes sir, I reckon. I don't know. I couldn't tell you. I don't know what you mean by it. Say it again.

Q Was she ever recognized by the Choctaw Indians in Mississippi as a member of that tribe? A Yes sir.

Q Have you any evidence of that fact? A Only what I have heard them say that she was.

Q Who have you heard say it? A My father and my aunt, my father's sister. That is all I know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Austin Reed.

Q Are you making any claim for your husband? A No sir.

Q Is he a white man? A Yes sir.

Q When did you marry him? A I married him in 1898.

Q When? A Near Graham.

Q Married to him in accordance with the laws of the United States? A Yes sir.

Q Never been married to him in accordance with the laws of the Choctaw or Chickasaw Nations? A No sir.

Q Have you any children? A I have one.

Q What is the name? A Elmer Guy Reed.

Q How old is he? A He is two years old last June.

Q Is that all the child you have? A Yes sir.

Q You are the mother of this child? A Yes sir.

Q Austin Reed is the father? A Yes sir.

Q This child lives with you at your home? A Yes sir.

Luella Reed 3

Q Is there any additional statement you desire to make in regard to this application? A No sir.

Q Is there any written evidence you desire to offer the Commission for consideration in support of this application? A No sir.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 15 day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 16 th day of November, 1900.

Guy L. V. Emerson
Notary Public.

COPY.

M.C.R. 1039

Muskogee, Indian Territory, June 18, 1902.

Luella Reed,

Katie, Indian Territory.

Dear Madam:-

You are hereby advised that on the 10th day of June, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John N. Petray, et al., embracing the following applications for identification as Mississippi Choctaws:

John N. Petray, et al.....	M.C.R. 1036
Ida Bell Platt, et al.....	M.C.R. 1037
Mary Alice Martin, et al.....	M.C.R. 1038
Luella Reed, et al.....	M.C.R. 1039
Bucinda Catharine Jackson, et al.....	M.C.R. 645

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John N. Petray, Lawrence Jackson Petray, Lula Pearl Petray, Ida Bell Platt, Della Platt, Mary Alice Martin, Ora May Martin,

L. H. 100-100

John Bell Hurst, Lucile Reed, Elmer Guy Reed, Lucinda Galloway
Pike Jackson, James Monroe Jackson, Mary Bellam Jackson, Sarah
Alice Jackson, Eliza Maybelle Jackson and Pearl Jackson, as
Shoshone Indians entitled to rights in the Shoshone lands under
the provisions of Article fourteen of the Treaty of 1855, and
that the applications for their identification as such should
be returned, and so be so ordered.

You are further advised that the Commission has on this
date forwarded the report in this case to the Secretary of the In-
terior for review and you will be informed in due time of such ac-
tion as may be taken by him.

Yours truly,

(SIGNED) *I. B. Needles*

Registered,

Commissioner in Charge.

N. C. R. 1039

COPY.

Muskogee, Indian Territory, November 7, 1902.

Lucile Reed,

Katie, Indian Territory.

Dear Madam:

You are hereby advised that on the 21st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John W. Petray, et al., of which decision you were advised by registered mail on the 18th day of June, 1902.

Respectfully,

(SIGNED)

Fame Bixby.

Acting Chairman.

No. 1039

For Identification as a Mississippi Choctaw.

Date NOV 15 1900

Name Luella Reed.

Age 21 Blood 1/16

Post Office, Katie S. D.

Father: John W. Petray - ✓

Mother: Willie F. Petray - dead.

Claims through father

HUSBAND:

Austin Reed.

(No claim for husband).

Children:

Olmer Guy Reed 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 15 1900



ACTING CHAIRMAN.

Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



8983

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14326

Unclaimed

Richard R.

Luella Reed

Katie J. S.



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

JUL 23 1902

[Signature]

ACTING COMMISSIONER



1039

Choc MCR 1040

Zachary Taylor Pittman

See MCR 268

MCR 1040

Wm. H. Pittman
REFUSED.

CORD FORWARDED DEPARTMENT,

JAN 30 1902

NOTICE OF DECISION MAILED APPLICANT: JAN 30 1902

**NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS. JAN 30 1902**

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.
JAN 30 1902**

**ACTION APPROVED BY SECRETARY OF INTERIOR.
APR 7 1902**

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. APR 17 1902**

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT. APR 17 1902**

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. APR 17 1902**

REFER TO M. C. R. 268

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOVEMBER 16, 1900.

—o—

NO. 1040.

In the matter of the application for identification as Mississippi Choctaws of Zachary Taylor Pittman and two minor children, and the application he makes on behalf of his wife, Fannie C. Pittman, as an intermarried citizen. Zachary Taylor Pittman, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Zachary Taylor Pittman.
Q What is your age? A 52.
Q What is your post office address? A Durant, Indian Territory.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided here? A Since the first of last November.
Q November of what year? A 1899.
Q You have been in the Indian Territory a little over one year then? A Yes sir.
Q Where did you live prior to that? A Choctaw Nation, Mississippi..
Q How long did you live in Mississippi? A All my life.
Q Were you born there? A Yes sir.
Q Did you ever live anywhere else except Mississippi and the Indian Territory? A No sir.
Q What is your father's name? A Calvin G. Pittman.
Q Is your father living? A No sir.
Q What is your mother's name? A Luvina Pittman.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A About 1/4 I believe.
Q Was your mother ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A I cannot tell that.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A Not that I know of.
Q Why are you in doubt about it? A Well I have never seen it on the rolls.
Q Have you any reason to believe that your name is there?
A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship or enrollment? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities by any official act of their National Council as a citizen of the Choctaw Nation? A No sir.
Q Did you, or anyone in your behalf in 1896, make application to this Commission for citizenship under the act of June 10, 1896? A No sir, did not know anything about the existence of any such Commission then.

- Q Have you ever been admitted to the Choctaw Nation by judgment of the United States court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, or the decision of this Commission? A No sir.
- Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or the authorities of the United States for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q This is your first application of any description?
- A Yes sir..
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Why do I believe that?
- Q Yes sir. A Well, I do not know whether I can answer that question or not.
- Q You are making your application for identification as a Mississippi Choctaw under the provisions of the 14 article of the treaty of 1830? A I believe under that treaty I am entitled to make the claim.
- Q You are basing your application solely under that article?
- A No sir.
- Q The only authority vested in this Commission to hear and determine the right of applicants, is under the provisions of the 14 article of the treaty of 1830, as contained in the 31st section of the act of Congress of June 28, 1898, which provided that "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under the provisions of the 14 article of the treaty between the United States and the Choctaws, concluded September 27, 1830." Are you making your claim under the provisions of that article? A No particular article, under all the treaty.
- Q Well sir, we cannot hear applicants except those who do claim the right under the provisions of the 14 article of the treaty of 1830, and that is the only authority vested in this Commission to hear and determine the rights of applicants as Mississippi Choctaws? A Well I do not know anything about article 14, I just claim under the treaty of 1830.
- Q Under what part of the treaty of 1830, and in what way does it affect your right as a Choctaw Indian?
- A How does it?
- Q Yes sir? if you claim under the whole treaty what is the basis of your claim? A Well as a descendant of the Choctaw tribe I reckon.
- Q The treaty of 1830 entered into between the Choctaw tribe and the United States Government in advance of the removal of the Choctaw Indians from Mississippi to the present Indian Territory, and in it there was a stipulation which is known as article 14 of that treaty, that if any of these Indians wished to remain in Mississippi and become citizens of the state that they could do so. Now are you claiming that your ancestors remained in Mississippi under the provisions of the 14th article of the treaty of 1830, or did they remove with the Choctaw tribe to the Territory west of the Mississippi? A Oh they remained there.
- Q Did they comply with the provisions of article 14 of the treaty of 1830? A I am not prepared to say.
- Q Did any of your ancestors ever receive or claim any land in Mississippi under the treaty of 1830? A I do not know as they did.

Q What is the name of your ancestor who lived in Mississippi at the time the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A Well, Batise.

Q What is the full given name? A I do not know. It was a woman, my great grandmother.

Q What was her full given name? A Rebecca Batise.

Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A No sir, I have not.

Q Are you a lineal descendant of Rebecca Batise? A Yes sir.

Q Do you have any evidence of her Indian citizenship in Mississippi? A No sir.

Q Are you making any application under any other treaty stipulations between the Choctaw Indians and the United States? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Fannie C. Pittman.

Q How old is she? A 40.

Q Are you making any claim for your wife? A Making a claim as an intermarried Choctaw..

Q Is your wife's name on any of the tribal rolls of the Choctaw Nation? A No sir.

Q Did she ever make claim to Indian citizenship? A No sir.

Q What is her father's name? A Her father's name was John F. Burnett.

Q Is your wife's father living? A No sir.

Q What is your wife's mother's name? A Eliza Burnett.

Q Is she living? A No sir.

Q They were both white people? A Yes sir.

Q When did you marry Fannie C. Burnett? A In September, 1884.

Q Where? A In Copiah County, Mississippi.

Q Married her under the laws of the state of Mississippi? A Yes sir.

Q Have you ever been married to her in accordance with the laws of the Chickasaw or Choctaw Nations? A No sir.

Q Have you your marriage license or certificate? A I have a certified copy of them.

Q Do you have them with you? A No sir.

Q It will be necessary for you to submit to the Commission for its consideration in determining the identity of your children, a certified copy of your marriage to Fannie C. Burnett. A I can send them on. I have them at Durant. I thought I had them in my satchell, but I left them at Durant.

Q Have you any children under 21 years of age and unmarried? A Two.

Q What are their names and ages? A John Burnett Pittman, 14, and Mildren Aren Pittman, 11 years.

Q You the father of both of these children? A Yes sir.

Q Fannie C. Pittman, the mother? A Yes sir.

Q Have these children always lived with you at your home? A Yes sir.

Q You and your wife living together? A Oh yes.

Q Is there any additional statement that you would like to make in support of your application and the application you make on behalf of your wife and minor children? A I want to state that when the Commission was at Colbert I was sick and could not get there. My brother and sister, Mrs. Emma V. Biggs, appeared there at Colbert, and I was sick and could not get there, is the reason why I have not appeared before the Commission before now, and then I had to have some papers I want to file.

Q Have you the papers with you? A Yes sir. I wish to attach them to Mrs. Emma V. Biggs, papers.

Q We cannot do that, sir. The regulations of the Department of the Interior and the requirements of this Commission is that each applicant must present with his application any written evidence he desires, and the papers so submitted in the one case cannot be considered as having any bearing on the application of any other person. A Well will you please write that I requested this that they be attached to hers, just fastened to hers.

Q Whose application do you want to file these papers with?

A My own application and I want them put with her papers.

Q No sir, we cannot do it. If you want to file any written evidence in support of her application the Commission will accept it, and if you want to file it in support of your application the Commission will accept it, but we will not accept it in support of one application and as bearing on the application of any other person.

A Well, I want to file it in support of my application.

I just wanted to get the papers together, is all.

Q Any written evidence that has been submitted in support of your sister's application, will not be considered in support of yours, unless there is a certified copy of the affidavits attached to your application.

A Well, I think these are certified copies of her affidavits.

Q How do you want to file these? A In support of my own.

Q All right, sir. A Will you write that I asked you to do that.

Commission: There is offered in evidence the written application and petition of Zachary T. Pittman, and the affidavits of Emma V. Biggs, and the joint affidavit of H. L. McNair, T. J. Roach, and the joint affidavit of G. W. Minns and J. H. Sarrett and D. L. Lee, and marked Exhibit A, filed and made a part of the records in this case.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for identification as Mississippi Choctaws, and the application you make on behalf of your wife, Fannie C. Pittman as an intermarried Mississippi Choctaw, will be mailed to you in writing in the near future at your present post office address.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 16th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me this

17th day of November, 1900.

Guy L. Harrison

(Notary Public.)

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Zachary Taylor Pittman for the identification of himself and his minor children, John Burnett and Mildren Aren Pittman, as Mississippi Choctaws, and also for his wife, Fannie C. Pittman, as an inter-married Mississippi Choctaw.

D E C I S I O N .

The record in this case shows that Zachary Taylor Pittman appeared before the Commission at Muskogee, Indian Territory, November 16th, 1900, and there made application for the identification of himself and his minor children, John Burnett Pittman and Mildren Aren Pittman, as Mississippi Choctaws, and for the identification of his wife, Fannie C. Pittman, as an inter-married Mississippi Choctaw. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Zachary Taylor Pittman and his minor children, John Burnett Pittman and Mildren Aren Pittman, and his wife, Fannie C. Pittman, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

DATED AT MUSKOGEE, INDIAN TERRITORY

THIS _____ DAY OF _____ 1901.

ACTING CHAIRMAN.

Waskagee, Indian Territory, November 21, 1900.

E. T. Pittman,

Durant, Indian Territory.

Dear Sir:

The Commission is in receipt of certified copy of the marriage certificate between Mr. E. T. Pittman and Miss Fannie Burnett and the same has been duly filed with the records of the Commission in the matter of the application of yourself and family for identification as Mississippi Choctaws.

Yours truly,

Acting Chairman.

MC. 1040

COMMISSIONERS

HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 14, 1901.

Zachary Taylor Pittman,
Durant, Indian Territory.

Dear Sir:

In the matter of the application of Felix J. Pittman as a Mississippi Choctaw, you are informed that under date of July 25, 1901, the Commissioner of Indian Affairs remanded to this Commission the record theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such application.

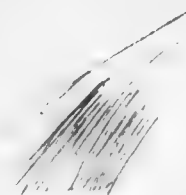
It appears from our records that at Muskogee, Indian Territory on November 16, 1900 you made personal application to this Commission for the identification of yourself and your two minor children as Mississippi Choctaws claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Thursday, December 19, 1901, at nine o'clock^{AM} A. M., there will be heard the

Z.T.P. 2.

testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

A handwritten signature, possibly "M. C. 1040", is written in dark ink over the typed name.

M. C. 1040

Acting Chairman,

COPY

COPY.

Muskogee, Indian Territory, January 30, 1902.

Zachary Taylor Pittman,

Durant, Indian Territory.

Dear Sir:

You are hereby advised that on January 15, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Emma V. Biggs, et al., embracing the following applications for identification as Mississippi Choctaws:

Emma V. Biggs, et al.,
Felix J. Pittman, et al.,
Zachary Taylor Pittman, et al.

Said decision after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the 21st Section of the act of Congress of June 28, 1898, is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Emma V. Biggs, Mary Elizabeth Biggs, William T. Biggs, Surry Grafton, Harland Grafton, Felix J. Pittman, Nellie Pittman, Leonard Pittman, Janie Elizabeth Pittman, Hazel Dean Pittman, Zachary Taylor Pittman, John Burnett Pittman and Mildred Aren Pittman, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

It is the further opinion of the Commission that under

SEP 2

the provision of law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Zachary Taylor Pittman for the identification of his wife, Fannie C. Pittman, as an intermarried Mississippi Choctaw, should, therefore, be refused, and it is so ordered.*

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *Tamc Bixby.*
Acting Chairman.

646
H. C. R. 2840
Registered.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Miss. Chootaw R 1040

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, April 18, 1902.

Zachary Taylor Pittman,
Durant, Indian Territory,
Dear Sir:

You are hereby advised that on the seventh day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Chootaws of the several persons included in the consolidated case of Emma V. Biggs, et al., of which decision you were advised by registered mail on the fifteenth day of January, 1902.

Yours truly,



Acting Chairman.

No. 1040

For Identification as a Mississippi Choctaw.

Date NOV 16 1900

Name Jackery T. Pittman.

Age 52. Blood 1/4

Post Office, Durant, Ind. Ter.

Father: Calvin G. Pittman - dead.

Mother: Elizabeth L. Pittman - dead

Claims through mother.

WIFE: Fannie C. Pittman 40.

FATHER: John F. Burnett - dead.

MOTHER: Eliza Burnett - dead.

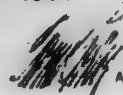
Children:

John B. Pittman 14

Mildred A. " 11

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
F.I.L. 10

NOV 16 1900

 ACTING CHAIRMAN

1117
504



Department of the Interior.

Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.

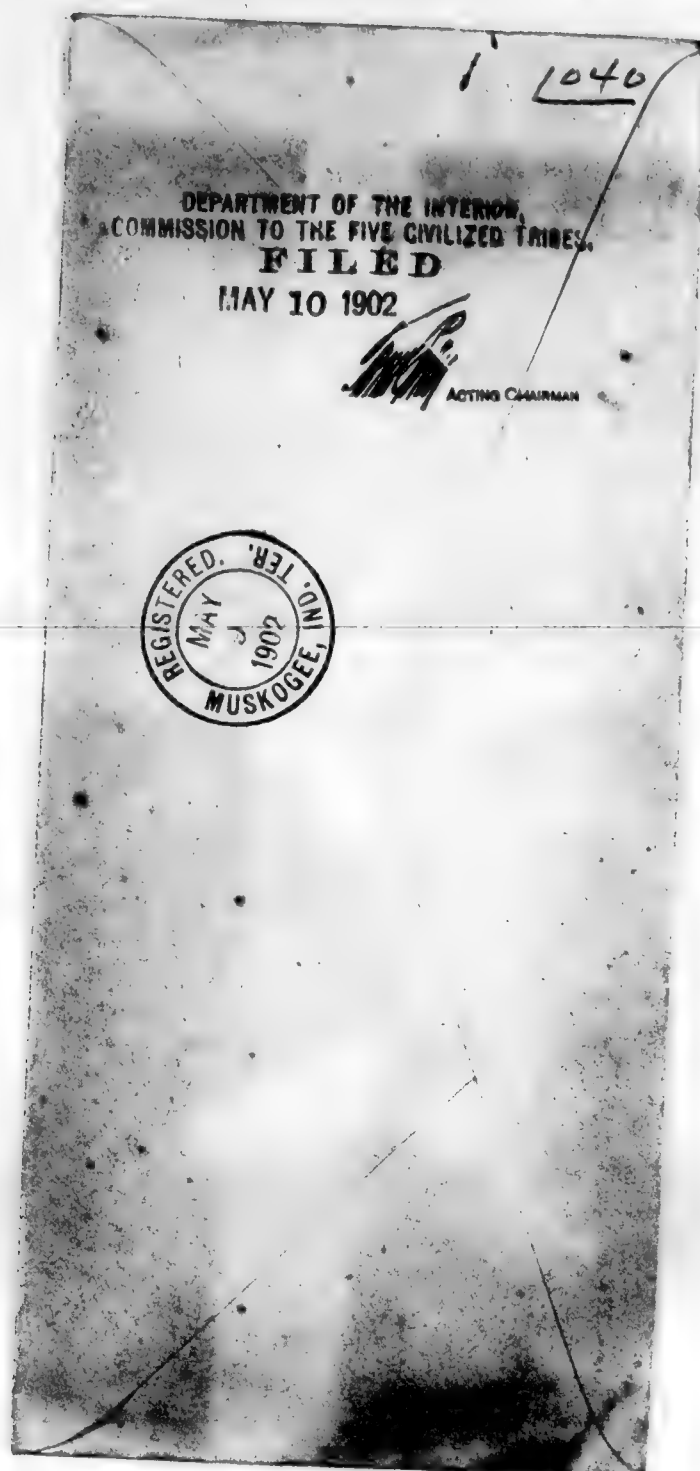
OFFICIAL BUSINESS.

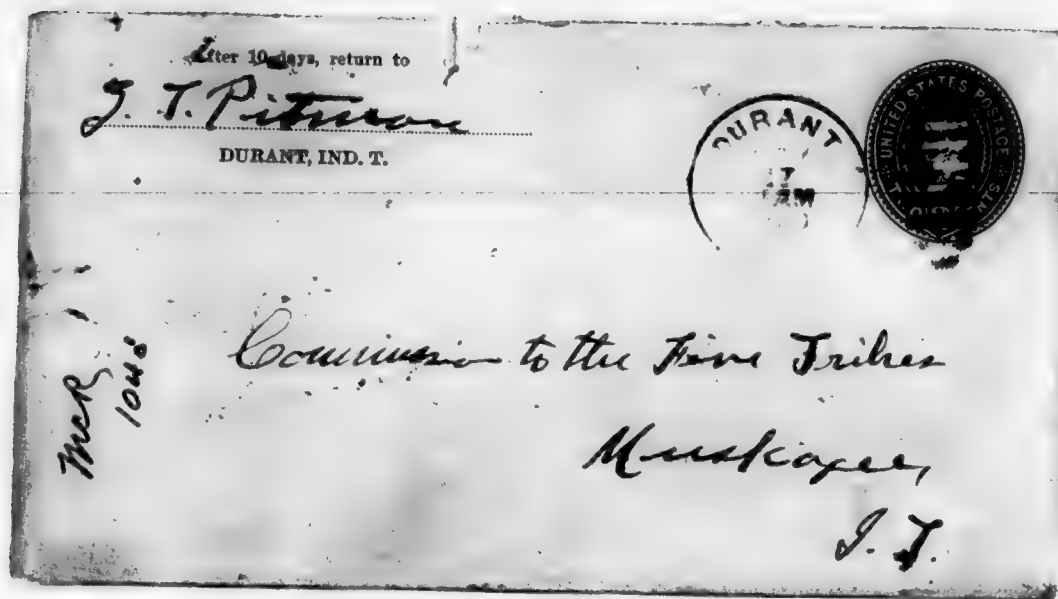
Penalty for private use, \$300.

~~Zachary Taylor Pittman,~~

~~Durant,~~

~~Indian Territory.~~





Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Mr. Zachary Taylor Pittman
Durant,
I. T.

*Chocoma
MAR #1540*

RECEIVED.
Present Address Unknown.

Zachary Taylor Pittman

Durant

Ind. Ter/

Department of the Interior

Commission to the Five Civilized Tribes
MUSKOGEE, OKLA. TER.



1040

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 19 1902

[Signature]

ACTING CHAIRMAN

DURHAM
N.C.
MAY 19 1902

RECEIVED
MAY 19 1902
MAIL

Choc. MCR 1041

Daniel J. Cummings

See MCR 711

MCR 1041

James J. Cummings et al.

REFUSED.

DECISION RENDERED. MAR 3 1902

NOTICE OF DECISION MAILED APPLICANT. MAR 3 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS. MAR 3 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS. MAR 3 1902

RECORD FORWARDED DEPARTMENT. MAR 3 1902

ACTION APPROVED BY SECRETARY OF INTERIOR. APR 30 1902

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT MAY 9 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT. MAY 9 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. MAY 9 1902

REFER TO M. C. R. 711

12/1/01 Latest address: Ravin I. D.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., NOVEMBER 16, 1900.

NO. 1041.

In the matter of the application for identification as Mississippi Choctaws of Daniel J. Cummings, and his seven minor children. Daniel J. Cummings, being first duly sworn, testified as follows:

Examination by the Commission?

- Q What is your name? A Daniel J. Cummings.
Q What is your age? A 44.
Q What is your post office address? A Gaddo, I. T.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided there? A Why, I have been there, I suppose, about 10 days.
Q Ever live here before that time? A No sir.
Q That is the only residence you have ever had in the Indian Territory, is it not? A Yes sir.
Q Where did you come from to the Indian Territory?
A Choctaw County, Mississippi.
Q How long did you live in Mississippi? A I have lived there all my life, born and raised there.
Q The only residence that you have ever had then, is in the state of Mississippi up to the time that you moved to the Choctaw Nation ten days ago? A Yes sir.
Q What is your father's name? A Andrew J. Cummings.
Q Is your father living? A Yes sir.
Q What is the name of your mother? A Martha Ann Cummings.
Q Your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q Was your mother ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A Yes sir.
Q Where? A Well I suppose the county seat where we have always lived, Chess County.
Q My question was had she ever been recognized by the Choctaw tribal authorities. A Oh no, no sir, not that I know of.
Q The recognition that she has had as a Choctaw Indian has been among her acquaintances? A Yes sir.
Q Is your name on the tribal rolls of the Choctaw Nation?
A No sir.
Q Have you ever made application for identification to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, I came over here— let me see— it was a year ago, and filed a petition through Mr. Hudson here, and I went back home to move to the Indian Territory, and on account of sickness I could not get over.
Q The application you made a year ago was never presented to this Commission in person was it? A No sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation by any official act of their National Council, as a citizen of the Choctaw Nation? A No sir.
Q Did you, or anyone in your behalf in 1898, make application

to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?

A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Q This is your first application of any description? A

A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw, is that correct? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14 article of the treaty of 1830? A Because my ancestors claimed to be Mississippi Choctaws.

Q Are you making your application as a beneficiary under the provisions of article 14 of the treaty of 1830? A Yes sir.

Q Did you, or any of your ancestors, ever comply with the provisions of the 14 article of the treaty of 1830?

A I do not know sir.

Q Are you familiar with that article of that treaty? A No

A Yes sir.

Q What is the name of your ancestor who resided in Mississippi in 1830, when the treaty was entered into between the United States and the Choctaw Indians, and who was at that time a recognized member of that tribe? A Daniel J. Cox.

Q Did Daniel J. Cox remove from Mississippi to the Indian Territory together with the Choctaw Indians when they removed to the Indian Territory? A No sir, he remained there.

Q Did he signify to the agent his intention to remain and become a resident of the state of Mississippi?

A I do not know.

Q Have you any evidence showing that Daniel Cox was a recognized citizen of the Choctaw Nation? A No sir.

Q Did you, or any of your ancestors, ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14 article of the treaty of 1830?

A I think not.

Q Do you make any application by reason of any other treaty stipulations between the Choctaw Indians and the United States?

A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Mary Caroline Cox.

Q Do you make any claim for her? A No sir.

Q She a white woman? A Yes sir.

Q Where did you marry her? A Choctaw County, Mississippi.

Q When? A The 19th day of December, 1884 or 1885.

Q Married her under the laws of the state of Mississippi?

A Yes sir.

Q Have you your marriage license and certificate? A I have it at home.

Q It will be necessary for the Commission to be supplied with proof of your marriage to Mary Caroline Cox in determining the application made on behalf of your children.

A I have it at home.

Q Have you any children for whom you wish to make application?

A Yes sir.

- Q Are they under 21 years of age and unmarried? A Yes sir.
 Q What are their names and ages? A Joseph Austin, 14;
 Daniel Pearle, 12; Essie, a girl, she is 11. The next are
 twins, a boy and a girl, Frankis, a girl and Grover.
 Q How old are they? A They are nine, I believe.
 Q Next one? A Archie, he is 5, and the next one is Henry
 Hudson, he is three years old.
 Q Are you the father of these seven children? A Yes sir.
 Q Mary C. Cox, the mother? A Yes sir.
 Q You and your wife live together? A Yes sir.
 Q These children all live with you at your home? A Yes sir.
 Q Their claim has the same identical grounds as yours?
 A Yes sir.
 Q Any additional statement that you desire to make? A None.
 Q Any written evidence that you desire to offer the Commission?

Attorney:

Here attorney for applicant asks leave to file written
 evidence within 15 days from this date.

- Q By Commission: How much Choctaw blood do you claim?

A 1/8.

Permission is granted the attorney for the applicant to
 file written evidence in support of this application provid-
 ed the same is offered for filing with this Commission
 within 15 days from the date hereof.

The decision of the Commission as to your applica-
 tion and the application you make on behalf of your seven
 minor children for identification as Mississippi Choctaws
 will be mailed to you in writing in the near future at your
 present post office address.

Kate De Bord, being first duly affirmed, states
 that as stenographer to the Commission to the Five Civilized
 Tribes she reported in full all proceedings had in the above
 entitled cause on the 16th day of November, 1900, and that the
 above and foregoing is a full, true and correct transcript of
 her stenographic notes of said proceedings on said date.

Kate De Bord

Subscribed and affirmed to before me

this 17th day of November, 1900.

Guy L. Emerson
 Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Daniel J. Cummings for the identification of himself and his minor children, Joseph Austin, Daniel Pearle, Essie, Frankie, Grover, Archie and Henry Hudson Cummings, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that Daniel J. Cummings appeared before the Commission at Muskogee, Indian Territory, November 16th, 1900, and there made application for the identification of himself and his minor children, Joseph Austin Cummings, Daniel Pearle Cummings, Essie Cummings, Frankie Cummings, Grover Cummings, Archie Cummings and Henry Hudson Cummings, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Daniel J. Cummings and his minor children, Joseph Austin Cummings, Daniel Pearle Cummings, Essie Cummings, Frankie Cummings, Grover Cummings, Archie Cummings and Henry Hudson Cummings, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory

this day of

1901.

Acting Chairman.

Muskogee, Indian Territory, January 8, 1901.

Messrs Hudson & Arnold,

Ardenore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of January 3, inclosing affidavits as follows:

Robert Burningham and O. B. Skinner, to be filed in the claim of Alice Goodwin for identification as a Mississippi Choctaw.

A. M. Davis and W. M. Moore to be filed in support of claim of David W. Martin for identification as a Mississippi Choctaw.

J. E. Moore and A. W. Davis to be filed in the case of Malitee P. Harris' claim for identification as a Mississippi Choctaw.

and marriage license and certificate of D. J. Cummings and M. C. Harris to be filed in support of application of Daniel J. Cummings for identification as a Mississippi Choctaw; and application for enrollment as a Choctaw of Oattie Francis, infant daughter of Ida and Thomas N. Tewry. These papers have all been filed in the respective cases in which they belong.

Yours truly,

Acting Chairman.

AD

117 INDEXED.

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
13495	SEP 16 1901		
1901			

SEP 23 1901

Cummings, David J.
Admiral, U.S.
Sept 13/01.

CHICKASAW

Giving I. O. address.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 21 1901

[Signature]
ACTING CHAIRMAN.

File in M.C. R. case #1041

M.C. R. 1041

J. E. ARNOLD,
ATTORNEY AT LAW.

CITIZENSHIP MATTERS
A SPECIALTY.

ARDMORE, IND. TER.,

Sept. 16th 1901

Commission to the five civilized Tribes
Muskogee I.T.

Gentlemen:

I write you to day to inform you
that my post office address is & will
be in the future Ravin I.T.

Yours Truly,

Daniel J. Cunningham

Muskogee, Indian Territory, September 23, 1901.

Mr. Daniel J. Cummings,
 Ravia,
 Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 16th, in which you state that your Post Office address in future will be Ravia, Indian Territory.

You are advised that this change of Post Office has been made a matter of record.

Yours truly,

M.C. 1041.

Muskogee, Indian Territory, November 23, 1901.

Daniel J. Cummings,
Caddo, Indian Territory.

Dear Sir:

In the matter of the application for identification as Mississippi Choctaws of Marietta J. Johnson, et al., you are informed that under date of August 1, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicant or witnesses in person in support of such application.

It appears from our records that at Muskogee, Indian Territory on November 16, 1900 you made personal application to this Commission for identification as Mississippi Choctaws of yourself and seven minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes, at Meridian, Mississippi, on January 20, 1902

D. J. C. 2.

at one o'clock P. M. there will be heard the testimony of
such witnesses as present themselves in person in support of your
application.

Yours truly,

W. C. 1041.

Acting Chairman.

Muskogee, Indian Territory, January 6, 1902

J. E. Arnold,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the sixth instant, in which you ask for a copy of the testimony of Daniel F. Cummings given at the time he applied to the Commission for identification as a Mississippi Choctaw. In reply to your letter you are informed that it does not appear from our records that you are the attorney for this applicant. It is, therefore, impossible to comply with your request.

Yours truly,

Commissioner in Charge.

NO 1041

M C R 1041

Muskogee, Indian Territory, March 3, 1902.

Daniel J. Cummings,

Caddo, Indian Territory.

Dear Sir-

You are hereby advised that on the 3rd day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Andrew J. Cox, et al., embracing the following applications for identification as Mississippi Choctaws:

Andrew J. Cox, et al.,	M C R 711
Mary Etta Josephine Johnson, et al.	M C R 335
Dora Ann Cutts, et al.,	M C R 337
Mint Ogwalt, et al.,	M C R 356
Eva Bryant, et al.,	M C R 705
Haggie Box, et al.,	M C R 709
John W. Cummings,	M C R 712
Daniel Jackson Johnson, et al.,	M C R 714
Lacy Hull, et al.,	M C R 922
Mollie Cummings,	M C R 926
John Franklin Hull, et al.,	M C R 930
Daniel J. Cummings, et al.,	M C R 1041
Fanna Todder, et al.,	M C R 1150
Thomas Herschel Cox,	M C R 1152

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty first section of the Act of Congress of June 28, 1898 (30 Stats., 495) is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded, September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.

D J C 2.

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Andrew J. Cox, John Strong Cox, Mary Etta Josephine Johnson, Frances A. Johnson, John P. Johnson, George Wesley Johnson, Wilmer Mabel Johnson, Charles Jeff Johnson, Ruel Johnson, Dora Ann Klutts, Mary A. Klutts, Ruby Klutts, Mint Oswalt, Curtis Oswalt, Myrtle Oswalt, Lola Celesta Oswalt, Eva Bryant, Molly Bryant, Jessie Bryant, Harvey Bryant, Maggie Box, Clara May Box, John W. Cummings, Daniel Jackson Johnson, Arnold Johnson, Lucy Hull, Tip Hull, Lela Hull, Harve Hull, Lem Hull, Dock Hull, Jerry Hull, Olley Hull, Mollie Cummings, John Franklin Hull, Willie Hull, Daniel J. Cummings, Joseph Austin Cummings, Daniel Pearle Cummings, Essie Cummings, Frankie Cummings, Grover Cummings, Archie Cummings, Henry Hudson Cummings, Emma Tedder, Reuben Tedder, Cora Tedder, Charley Tedder, Floyd Tedder and Thomas Herschel Cox, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of the law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provisions of the law above quoted no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Mary Etta Josephine Johnson for the identification of her husband, Andy H. Johnson, the application made by Dora Ann Klutts for the identification of her husband, John F. Klutts, the application made by Mint Oswalt for the identification of her husband, J. S. Oswalt, the application made by Maggie Box for the identification of her husband, Rufus L. Box, and the application made by Daniel Jackson Johnson for the identification of his wife, Molly Johnson, as intermarried Mississippi Choctaws, should therefore, be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

Commissioner in Charge.

M.C.B. 1041

Muskogee, Indian Territory, May 4, 1902.

Daniel J. Cummings,
Caddo, Indian Territory.

Dear Sir:-

You are hereby advised that on the 30th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Andrew J. Cox, et al., of which decision you were advised by registered mail on the 3rd day of March, 1902.

Yours truly,

Commissioner in Charge

H.O.R. 711
H.O.R. 1041

Muskogee, Indian Territory, June 5, 1904.

D. J. Cummings,

Sulphur, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th ultimo, in which you ask to be advised the status of the consolidated Mississippi Choctaw case of Andrew J. Cox, et al.,

In reply to your letter you are informed that it appears from our records that on April 30, 1902, the Secretary of the Interior approved the decision of the Commission refusing the applications of the several persons included in the consolidated Mississippi Choctaw case of Andrew J. Cox, et al., of which your application is a part, and of which Departmental action each of the principal applicants were duly notified on May 9, 1902.

The Commission now considers this case closed, and it is not believed that any of the applicants in the above mentioned case are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

M.C.R.1041

Kuskogee, Indian Territory, June 18, 1904.

Daniel J. Cummings,

Sulphur, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 23, 1904, addressed to the Honorable Secretary of the Interior, and by him referred to this Commission for consideration and appropriate action. Therein you ask what disposition has been made of the consolidated Mississippi Choctaw case of A. J. Cox, et al.

In reply to your letter you are informed that the Commission advised you fully in regard to this case in its letter to you under date of June 6, 1904.

Respectfully,

Chairman.

M C R 1041

Muskogee, Indian Territory, August 30, 1904.

C. M. Merts,

Pursell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, wherein you ask if D. J. Cummings is enrolled as a member of any tribe of Indians.

In reply to your letter you are informed that on April 30, 1902, the Secretary of the Interior approved the decision of the Commission refusing the several applications included in the consolidated Mississippi Choctaw case of Andrew J. Cox, et al., of which the application of Daniel J. Cummings is a part, and of which departmental action the several applicants were duly notified on May 9, 1902.

The Commission now considers this case closed and it is not believed that any of the applicants therein are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

M C R 1041

Muskogee, Indian Territory, November 22, 1906.

D. J. Cummings,

Zenobia, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant, requesting to be advised relative to your application for identification as a Mississippi Choctaw. You state that you were rejected in 1902 and applied again last February through John M. Mills who was working for Goodenough & Chenault.

The records of this office apparently do not show that any person by the name of Mills, Goodenough or Chenault has ever entered any appearance in your case or filed papers of any kind in support thereof. This office is in receipt of a number of complaints relative to the actions of these persons in Mississippi Choctaw cases. They are in no manner connected with this office and are not authorized to act for it in any capacity whatsoever.

The time within which motions for rehearings in Mississippi Choctaw cases could be received under the Act of Congress approved April 26, 1906 (34 Stats., 137), expired June 25, 1906, and the Department's action of April 30, 1902, refusing your application is therefore considered final.

Respectfully,

Commissioner.

MGR-1041

Muskogee, Indian Territory, January 14, 1907.

Daniel J. Cummings,
Zenobia, Indian Territory.

Dear Sir:--

Receipt is hereby acknowledged of your letter of the 10, inst., asking that your Mississippi Choctaw application be reopened.

The records of this office show that you were advised on October 22, 1906, that the time within which motions for rehearing in Mississippi Choctaw cases could be received under the Act of Congress approved April 26, 1906, (34 Stats., 137) expired June 25, 1906.

You are again informed that no petition for rehearing in this case can now be received.

Respectfully,

Commissioner.

17627-1908

Muskogee, Oklahoma, June 22, 1908.

Mrs. Daniel J. Cummings,

Bromide, Oklahoma.

Madam:

Replying to your letter of May 10th, referred to this office by the Commissioner of Indian Affairs, Washington, D. C., you are advised that the Mississippi Choctaw application of Daniel J. Cummings, et al. was refused both by the Commission to the Five Civilized Tribes and the Secretary of the Interior, and as the rolls of citizenship of the Five Civilized Tribes were closed March 4, 1907, no further consideration can be given said claim.

Respectfully,

Commissioner.

McM

D 1329-09

Muskogee, Oklahoma, September 2, 1909.

Mr. Daniel J. Cummings,
Bromide, Oklahoma.

Sir:

You are hereby advised that the Department, under date of August 25, 1909, informed this office that it was of the opinion that the case of Daniel J. Cummings, et al., applicants for enrollment as Mississippi Choctaws, was not analogous to that of John E. Geldsby and did not come within the principles announced by the Supreme Court of the United States in that case, and that no action would be taken looking to the enrollment of any of the applicants in said case of Daniel J. Cummings.

Respectfully,

(VR)

Commissioner.

No. 1041

For Identification as a Mississippi Choctaw.

Date NOV 16 1900

Name Daniel J. Cummings.

Age 44 Blood 1/8

Post Office, Caddo, Ind. Ter.

Father: Andrew J. Cummings - ✓

Mother: Martha Ann Cummings - dead.

Claims through mother.

WIFE: Mary C. Cummings.

(No claim for wife)

Children:

Joseph A. Cummings 14

Daniel P. " " 12

Essie " " 11

Frankie } "TWINS" { 9

Grover } " " {

Archie " " 5

Henry H " " 3.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 16 1900

Choc. MCR 1042

Eva Chandler

See MCD 1

MCR 1042

ava Chandler et al

REFER TO M. C. R. D.

REFUSED.

DECISION RENDERED.

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

M. C. R-1042

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 16, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Eva Chandler and her three minor children.
Eva Chandler being duly sworn by the Commission, testified as
follows:

Examination by the Commission.

Q What is your name? A Eva Chandler.
Q What is your age? A Twenty eight.
Q What is your post-office address? A Harrisonville,
Missouri.
Q Are you a resident of the state of Missouri? A Yes sir.
Q How long have you resided there? A Twenty eight years.
Q Have you ever made your residence elsewhere than Missouri?
A No sir.
Q Lived there all your life? A Yes sir.
Q How much Choctaw blood do you claim? A One sixteenth.
Q What is your father's name? A William R. McAdoo.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Augusta McAdoo.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My mother.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw Nation? A I could not say that it was.
Q Was your mother ever recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A I could not
say that she was.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the
possession of the Commission examined and the name
of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authori-
ties by any official act of their National Council as a citizen of
that Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission under the act of June 10th, 1896, for
citizenship in the Choctaw Nation? A No sir.

Record of applications for citizenship in the Choctaw
Nation made to this Commission in 1896, examined and
the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by a judgment of the United States Court for the Indian
Territory on appeal from the decision of the Choctaw tribal authori-
ties or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Courts, examined and the name of the applicant does
not appear thereon.

Eva Chandler 2

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A I believe my ancestors were Mississippi Choctaws.

Q You are making your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A Yes sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians? A William Harris.

Q Was William Harris a recognized member of the Choctaw Tribe of Indians? A Yes sir.

Q Have you any evidence of that fact? A I don't know just how to answer you.

Q How do you know that he was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A My forefathers gave the evidence that they were. My grand father.

Q Did William Harris comply with the provisions of the 14th article of the treaty of 1830, after the making of the treaty between the Choctaw Indians and the United States, signify to the United States Indian Agent of the Choctaw Indians in Mississippi, his determination to remain in Mississippi and become a citizen of that state? A I don't know. left

Q Do you know whether William Harris ~~stayed~~ Mississippi or not? A He left Mississippi.

Q When? A About the year 1840.

Q Where did he come to? A To Missouri.

Q Do you know anything about his residence in Mississippi prior to his removal to Missouri? A No sir.

Q Do you know whether he received or claimed any land in Mississippi as a beneficiary under the fourteenth article of the treaty of 1830? A No sir, I do not.

Q Do you make any claim under any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A George Chandler.

Q Are you making any claim for him? A No sir.

Q Is he a white man? A Yes sir.

Q Has never made any claim to Indian citizenship? A No sir.

Q Where did you marry him? A Near Harrisville, Missouri.

Q He is a resident of the state of Missouri? A Yes sir.

Q Have you any children? A Yes sir.

Q How many? A Three.

Q What are their names and ages? A Martin and Merrill Chandler.

Q Twins? A Yes sir.

Q How old are these two children? A They will be three next February.

Q Pretty near three years old? A Yes sir.

Q Have you any others? A One.

Q What is the name ~~xxxxxx~~ of the other child? A Willie Winfrey.

Q How old is Willie? A A little over a year.

Q Is there any additional statement you desire to make in support of your application and the application you make on behalf of your children? A No sir.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of this application? A No

Kva Chandler 2

sir.

L. P. Hudson. Here attorney for applicant asks leave to file written evidence in support of this claim within fifteen days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within fifteen days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

By L. P. Hudson, attorney for the applicant.

Mrs/ Chandler is it your intention to remove to the Indian Territory in the near future for the purpose of establishing a residence and home here? A Yes sir.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 16th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 16th day of November, 1900.

Myra Young
Guy L. Emerson
Notary Public.

San Antonio, Texas, January 2, 1962

Robert A. Wright

San Antonio, Texas

Gentlemen:

The Commission is in receipt of your letter of the 21st
ultima enclosing affidavits offered for filing in the matter of
the applications of Robert J. Adams and Laura R. Chandler for
identification as Mississippi Choctaws, and the same have been
fully filed with the records of the Commission.

Yours truly,

Acting Chairman

M. C. R-2043
M. C. R-2043

Muskogee, Indian Territory, November 20, 1901.

Eva Chandler,
Harrisonville, Missouri.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret E. Rodgers et al., James M. Jones et al.,
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 16, 1900, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and three minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

M. C.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

M.C.-1042

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRICKNIDGEE,
ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 1042

COPY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Eva Chandler,

Harrisonville, Missouri,

Dear madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R. 1010
Izzie Lee Wood, et al.,	M.C.R. 1011
Carl Clark,	M.C.R. 1012
Estella Trice, et al.,	M.C.R. 1013
Susan Lucinda Glover, et al.,	M.C.R. 1441
Mary J. Smith, et al.,	M.C.R. 1442
Sarah N. Johnson et al.,	M.C.R. 1543
Mary J. McDaniel, et. al.,	M.C.R. 3208
Martha J. Odneal, et al.,	M.C.R. 3209
Matilda Sullins, et al.,	M.C.R. 3212
Lucinda Francis Duncan, et al.,	M.C.R. 3288
William Alfred Duncan,	M.C.R. 3289
Fannie Adcock, et al.,	M.C.R. 3290
Luenettie Carpenter,	M.C.R. 3291
James Franklin Carpenter, et al.,	M.C.R. 3292
Susan Dale, et al.,	M.C.R. 2818
Fannie A. Lawson, et al.,	M.C.R. 16
Viola J. Oakman, et al.,	M.C.R. 716
Eliza J. Martin, et al.,	M.C.R. 717
Willis W. Martin,	M.C.R. 719
Aubrie Lawson, et al.,	M.C.R. 722
Charles C. McAdoo,	M.C.R. 723
Eva Chandler, et al.,	M.C.R. 1042
Roberta J. McAdoo,	M.C.R. 1043
Ellen Chambers,	M.C.R. 2595
Francis M. Martin, et al.,	M.C.R. 2819
Mary C. Martin,	M.C.R. 3200
Margie A. Miller, et al.,	M.C.R. 3210
Harvey A. Martin, et al.,	M.C.R. 3218
Mary Leona Swarner, et al.,	M.C.R. 3287
George A. Chambers, et al.,	M.C.R. 3440
Susan Coffelt, et al.,	M.C.R. 2698
Nancy J. Walser, et al.,	M.C.R. 3204
John G. Snodgrass, et al.,	M.C.R. 3207
William Harris, et al.,	M.C.R. 3211
Sarah E. Snyder, et al.,	M.C.R. 3769
Charles C. Snyder, et. al.,	M.C.R. 3770
William L. Snyder, et al.,	M.C.R. 3484
Annie L. Kerfoot, et al.,	M.C.R. 3849
John T. Snyder,	M.C.R. 3850
Edmond P. Snyder, et al.,	M.C.R. 3851
Sallie T. Bristow, et al.,	M.C.R. 4225
William Stanton Mundell,	M.C.R. 1014
Daniel W. Son, et al.,	M.C.R. 1386
John W. Son, et al.,	M.C.R. 1385
James F. Son, et al.,	M.C.R. 1387
George W. Son, et al.,	M.C.R. 2594
Finis M. Son,	M.C.R. 2596
Maggie Bradford, et al.,	M.C.R. 2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershall Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississipi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED): *T. B. Needles.*

Commissioner in Charge.

Registered.

M.C.R., 1042.

Muskegee, Indian Territory, April 24, 1902.

Eva Chandler,
Harrisonville, Missouri.

Dear Madame:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

N.C.N. 1042.

COPY

Muskogee, Indian Territory, November 16, 1906.

Eva Chandler,

Harrisonville, Missouri.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John E. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.
Commissioner.

No. 1042

For Identification as a Mississippi Choctaw.

Date NOV 16 1900

Name Eva Chandler.

Age 28 Blood 1/16

Post Office, Harrisonville, Mo.

Father: William A. McAdoo - ✓

Mother: Augusta McAdoo - dead

Claims through no other.

HUSBAND:

George Chandler.
(No claim for husband).

Children:

Martin Chandler	3
Merrill "	3.
Willie W. "	1.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 16 1900

 ACTING CHAIRMAN.

G. O. Number 11281-1900.
Hudson & Arnold,
Atoka, I.T.
Dec 24, 1900.

M.C. R 1042 Eva Chandler
et al.

Eva Chandler, 28 years of age,
of Harrisonville, Missouri,
on November 16, 1900, appeared
before the Commission at Musko-
gee and made application for
identification of herself and
three children as Mississippi
Choctaws. It is presumed
from reference made by you
that this is Laura E. Chandler
No judgment has been rendered
in this case.

Atoka, I.T. January 4, 1901.

AB

Choc. MCR 1043

Roberta J. McAdoo

See MCD 1

MCR 1043

WILLIAM H. CHOCTAW.
Roberta J. McAdoo
REFER TO M. C. & D. I.

REFUSED.

DECISION RENDERED.

MAR 3 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION
FORWARDED ATTORNEY
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORD FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

APR 24 1902

M. C. R-1043

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 16, 1900.

In the matter of the application for identification as
a Mississippi Choctaw of Roberta J. McAdoo. Roberta J. McAdoo
being duly sworn by the Commission testified as follows:

Examination by the Commission.

- Q What is your name? A Roberta J. McAdoo.
Q What is your age? A 27 last June.
Q What is your post-office address? A Harrisonville,
Missouri.
Q Are you a resident of the state of Missouri? A Yes sir.
Q How long have you resided there? A I was born in Missouri
and lived there all my life.
Q You have never maintained a residence elsewhere? A No
sir.
Q How much Choctaw blood do you claim? A One sixteenth.
Q What is your father's name? A William R. McAdoo.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Augusta R. McAdoo.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw
blood? A Through my mother.
Q Your mother's name ever on any of the tribal rolls of the
Choctaw Nation? A Not that I know of.
Q Was she ever recognized by the Choctaw tribal authorities
as a citizen of the Choctaw Nation? A Not that I know of.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in
the possession of the Commission examined, and the
name of the applicant does not appear thereon.

- Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their National Council as a
citizen of the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make
application to this Commission for citizenship in the Choctaw
Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the
Choctaw Nation made to this Commission in 1896,
examined and the name of the applicant does not
appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw
Nation by judgment of the United States Courts for the Indian
Territory on appeal from the decision of the Choctaw tribal
authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Courts, examined and the name of the applicant does
not appear thereon.

Roberta J. McAdoo 2

Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A Under the provisions of the fourteenth article of the treaty of 1830.

Q Why do you believe that you are entitled to any recognition under that article of that treaty? A From the evidence of my ancestors, if I understand your question.

Q Did any of your ancestors ever comply with the provisions of the fourteenth article of the treaty of 1830? A I don't know. I don't know how to answer. I don't know whether I understand you or not.

Q Do you know what the fourteenth article of the treaty of 1830 provides? A I have heard it, yes sir.

Q Now did your ancestors signify to the United States Indian Agent of the Choctaw Indians in Mississippi their desire to remain and become citizens of the state of Mississippi or did they elect to remove with the Choctaw Indians from Mississippi to the present Choctaw Nation in the Indian Territory? A I don't know.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who was at that time a recognized member of that tribe? A They tell me it was William Harris.

Q What relation was William Harris to you? A My great great grand father.

Q Was William Harris a recognized member of the Choctaw tribe of Indians in Mississippi? A I suppose so.

Q Have you any evidence showing that he was? A No, I haven't any evidence.

Q When did William Harris leave Mississippi? A I could not say for sure. I have forgotten.

Q Do you know anything of his residence in Mississippi? A No sir not particularly.

Q Did William Harris or any other of your ancestors through whom you might claim this right to identification ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't understand you.

Q The fourteenth article provided that they could remain there and become citizens of the states after signifying their intention to the Indian Agent. A Yes sir.

Q After doing that the government gave them certain tracts of land upon which they were to live for five years as an evidence of their good faith to remain and become citizens of the state of Mississippi. After they had lived there five years, the government granted them a fee simple title to that land. Now did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the fourteenth article of the treaty of 1830?

A I don't know.

Q Do you make any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians? A No sir.

Q Are you married? A No sir.

Q Have you ever been married? A No sir.

Q Making this application solely on your own behalf? A Yes sir.

Q Is there any additional statement that you desire to make in support of your application? A I believe not.

Roberta J. McAdoo 3

Q Is there any written evidence that you desire to offer the Commission? A Yes sir.

Here, L. P. Hudson, attorney for the applicant asks leave to file ~~paper~~ written evidence in support of this claim in fifteen days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing within fifteen days from the date hereof.

By L. P. Hudson, attorney for the applicant.

Q Miss McAdoo, you state that you are a resident of the state of Missouri and always have been? A Yes sir.

Q Is it your intention to remove to the Indian Territory in the near future for the purpose of making your home here? A Yes sir.

By the Commission.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 16th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 17th day of November, 1900.

Guy L. V. Emerson
Notary Public.

Waskagee, Indian Territory, January 5, 1901.

Hudson & Arnold,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 24th ultimo enclosing affidavits offered for filing in the matter of the applications of Roberta J. McAdo and Laura E. Chandler for identification as Mississippi Choctaws, and the same have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

M. C. R-1042
M. C. R-1043

Muskogee, Indian Territory, November 29, 1901.

Roberta J. McAdoo,
Harrisonville, Missouri.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret R. Rodgers et al., James M. Jones et al.,
Hannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

It appears from our records that at Muskogee, Indian Territory, on November 16, 1900, you made personal application for identification as a Mississippi Choctaw, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Monday,

H. J. MacA-2.

January 13, 1908, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

H.C.-1043

Acting Chairman.

COMMISSIONERS
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 1043

COPY.

ADDRESSES ONLY. NO
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1902.

Roberta J. McAdoo,
Harrisonville, Missouri,

Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the
Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al.,
embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R.	1010
Izzie Lee Wood, et al.,	M.C.R.	1011
Carl Clark,	M.C.R.	1012
Estella Trice, et al.,	M.C.R.	1013
Susan Lucinda Glover, et al.,	M.C.R.	1441
Mary J. Smith, et al.,	M.C.R.	1442
Sarah N. Johnson et al.,	M.C.R.	1543
Mary J. McDaniel, et. al.,	M.C.R.	3208
Martha J. Odneal, et al.,	M.C.R.	3209
Matilda Sullins, et al.,	M.C.R.	3212
Lucinda Francis Duncan, et al.,	M.C.R.	3288
William Alfred Duncan,	M.C.R.	3289
Fannie Adcock, et al.,	M.C.R.	3290
Luenettie Carpenter,	M.C.R.	3291
James Franklin Carpenter, et al.,	M.C.R.	3292
Susan Dale, et al.,	M.C.R.	2818
Fannie A. Lawson, et al.,	M.C.R.	16
Viola J. Oakman, et al.,	M.C.R.	716
Eliza J. Martin, et al.,	M.C.R.	717
Willis W. Martin,	M.C.R.	719
Aubrie Lawson, et al.,	M.C.R.	722
Charles C. McAdoo,	M.C.R.	723
Eva Chandler, et al.,	M.C.R.	1042
Roberta J. McAdoo,	M.C.R.	1043
Ellen Chambers,	M.C.R.	2595
Francis M. Martin, et al.,	M.C.R.	2819
Mary C. Martin,	M.C.R.	3200
Margie A. Miller, et al.,	M.C.R.	3210
Harvey A. Martin, et al.,	M.C.R.	3218
Mary Leona Swarner, et al.,	M.C.R.	3287
George A. Chambers, et al.,	M.C.R.	3440
Susan Coffelt, et al.,	M.C.R.	2698
Nancy J. Walser, et al.,	M.C.R.	3204
John G. Snodgrass, et al.,	M.C.R.	3207
William Harris, et al.,	M.C.R.	3211
Sarah E. Snyder, et al.,	M.C.R.	3769
Charles C. Snyder, et. al.,	M.C.R.	3770
William L. Snyder, et al.,	M.C.R.	3484
Annie L. Kerfoot, et al.,	M.C.R.	3849
John T. Snyder,	M.C.R.	3850
Edmond P. Snyder, et al.,	M.C.R.	3851
Sallie T. Bristow, et al.,	M.C.R.	4225
William Stanton Mundell,	M.C.R.	1014
Daniel W. Son, et al.,	M.C.R.	1386
John W. Son, et al.,	M.C.R.	1385
James F. Son, et al.,	M.C.R.	1387
George W. Son, et al.,	M.C.R.	2594
Finis M. Son,	M.C.R.	2596
Maggie Bradford, et al.,	M.C.R.	2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 366b
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

" 'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.' "

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershall Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, Willie Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William H. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai

McDaniel, Martha J. Odneal, Flara Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississippi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

W. J. Harrison
Commissioner in Charge.

Registered.

M.D.R., 1043.

Washoe, Indian Territory, April 24, 1902.

Robert J. Madsen,
Harrisonville, Missouri.

Dear Madam:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John S. Martin, et al., of which decision you were advised by registered mail on the 18th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 1043.

COPY

Muskogee, Indian Territory, November 16, 1906.

Roberta J. McAdoo,
Harrisonville, Missouri.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.
Commissioner.

For Identification as a ~~MISSISSIPPI~~ CHOCROW.

Date NOV 16 1900

Name *Roberta J. Mc. Cidoo.*

Age *27.* Blood *1/16*

Post Office, *Harrisouville, Mo.*

Father: *William A. Mc. Cidoo - ✓*

Mother: *Augusta Mc. Cidoo - dead*

Claims through *mother.*

Children:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1900

 ACTING CHAIRMAN.

G. O. Number 11281-1900.

M.C. R 1043, Roberta J. McAdoo

Roberta J. McAdoo, 27 years old
of Harrisonville, Missouri,
appeared on November 16, 1900,
and made application for identification as a Mississippi
Choctaw. No judgment has
yet been rendered in this case.

Atoka, January 4, 1901.

AB

Choc. MCR 1044

Cora Lee Welch

MCR 1044

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 16, 1900.

In the matter of the application for identification as a
Mississippi Choctaw of Cora Lee Welch. Cora Lee Welch being
duly sworn by the Commission, testified as follows:

Examination by the Commission.

Q What is your name? A Cora Lee Welch.
Q What is your age? A I am 22.
Q What is your post-office address? A Como, Texas.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided in Texas? A Nine years.
Q Where did you live before that? A Alabama, Tennessee and
Mississippi.
Q Where did you live before you lived in Texas? A Alabama.
Q How long did you live in Alabama? A Five or six years.
Q Where did you live prior to your residence in Alabama?
A Tennessee.
Q How long did you live in Tennessee? A About five years.
Q Where did you live before that? A Mississippi.
Q How old were you when you left Mississippi? A About six
years old I reckon.
Q Lived in Mississippi from the time you were born up until
you were six years old? A Yes sir.
Q In what part of Mississippi did you live? A Near Jackson,
Mississippi?
Q How much Choctaw blood do you claim? A One fourth.
Q What is your father's name? A Smith Welch.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Bettie Welch.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A By my father's side.
Q Your father's name on any of the tribal rolls of the
Choctaw Nation? A I don't know.
Q Your father ever been recognized by the Choctaw tribal
authorities as a citizen of the Choctaw Nation? A I don't know
that either.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A Not as I know of.
Q Got any idea of it being there? A Well, my father's
name ought to be on there.
Q Well is it? A I don't know.
Q Is yours? A I don't know.
Q Do you know anything about your name being on any tribal
roll of the Choctaw Nation. Have you ever heard it was there? A
I don't know.
Q Have you any reason to suppose that your name is on any of
the tribal rolls of the Choctaw Nation? A It ought to be on
there.
Q Do you know that it is on there? A I don't know whether
it is on there or not.
Q Are you a daughter of Smith Welch who applied to the
Commission at Caddo in August, 1899 for enrollment as a citizen of
the Choctaw Nation? A Yes sir.
Q The Commission refused your father's enrollment at that
time for the reason that his name was not on any of the tribal

Cora Lee Welch 2

rolls of the Choctaw Nation. Is your claim the same as your fathers? A What do you say?

Q You claim through your father do you and your claim is identical with his? A Yes sir.

Reference is made to the application of Smith Welch for enrollment as a citizen of the Choctaw Nation before the Commission at Caddo, Indian Territory, Choctaw card, field No. R-325.

Tribal rolls in the possession of the Commission examined and the name of the applicant, Cora Lee Welch, does not appear thereon.

Q Have you ever applied to the Choctaw tribal authorities for enrollment as a Choctaw? A Have I ever?

Q Yes, did you ever make application to the Choctaw tribal authorities for citizenship or enrollment as a Choctaw? A No sir.

Q Did any one ever make application for you? A My father I guess.

Q When? A Last year I reckon.

Q The only application your father ever made for you was the application he made at Caddo last summer? A Yes sir.

Q Your name was not included in that application? A Wasn't it?

A No. A I thought he had all the names of all the children.

Q Have you ever been acknowledged by the Choctaw tribal authorities by any official act of theirs as a citizen of the Choctaw Nation? A Ever been acknowledged?

Q Yes. Did they ever recognize you as a citizen? A No sir. I have been over in the Choctaw Nation and they claim kin with me. Say I am part Choctaw.

Q Never been recognized by the Choctaw tribal authorities as a citizen have you? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896, four years ago, did you, or did any one make an application for you for citizenship in the Choctaw Nation? A No sir.

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A No sir.

Q This is your first application of any description? A Yes sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830? A Because my ancestors was a Choctaw.

Cora Lee Welch 3

Q You are making your claim under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A I don't know what you mean.

Q Do you know what the fourteenth article of the treaty of 1830 is? A Yes sir.

Q Well did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A My grand mother did.

Q What was your grand mother's name? A Sallie Welch.

Q Was she a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A Yes sir.

Q Have you any evidence of that fact? A Yes sir.

Q What does it consist of? A She was a Mississippi Choctaw.

Q Have you any proof showing that she was a recognized member of the Choctaw tribe of Indians in Mississippi? A Well, she looks like all these full blood Mississippi Choctaws. Has all the appearance of an Indian.

Q Was she a recognized member of the Choctaw tribe of Indians in Mississippi? A Yes sir, she was.

Q Have you any evidence of that fact? A I haven't got any evidence only I know she come from there.

Q When did she come from Mississippi? A Well, she didn't tell me when.

Q Do you know anything about your grand mother's residence in Mississippi? A Well, she didn't tell me that either.

Q Where did your grand mother die? A She aint dead.

Q Where does she live? A She is now living in Tennessee.

Q When did she go to Tennessee? A I don't know sir.

Q When did she leave Mississippi? A I don't know that either.

Q How old is she? A She is 80 years old. She is so old she cant get about.

Q How much Negro blood have you? A I don't know, sir, my father is half Choctaw and my mother nearly white.

Q Was your father a slave? A I don't know, sir.

Q Your father testified before the Commission at Caddo a year ago last summer that he was a slave? A He is old enough to be a slave. The Welches I guess owned him.

Q Where was he held in slavery? A Well, I think he staid in Mississippi and Tennessee.

Q When he was a slave - after the emancipation of the slaves? A Yes sir.

Q You claim your rights to identification through your father's mother? A Yes sir.

Q Was she a slave? A Well, I don't know whether she was or not.

The testimony of Smith Welch before the Commission at Caddo, Indian Territory, in August 1899 stated that his mother was held in slavery.

Q Do you know who she belonged to? A Yes sir.

Q Who? A She belonged to the Welches.

Q Where? A In Tennessee and Mississippi.

Q Were they Choctaw Indians? A I don't know sir whether they were or not.

Q How much of a Choctaw was your grand mother? A She is a full blood.

Q How does it happen she was held in slavery then? No answer.

Q Did any of your ancestors receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, none of them ever did This is the first time we have ever tried to.

Cora Lee Welch 4

Q Do you make any claim under any other treaty stipulation between the United States and the Choctaw tribe of Indians? A I just claim to be a Mississippi Choctaw.

Q You claim under the fourteenth article of the treaty of 1830? A Yes sir.

Q Do you claim under any other treaty stipulation between the United States and the Choctaw Nation? A No sir.

Q Are you married? A No sir.

Q Ever been married? A No sir, never been married.

Q Got any children? A I haven't got any children.

Q Is there any additional statement you desire to make in support of your application? A No sir.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of your application?

here L.P. Hudson, attorney for the applicant asks leave to file written evidence in support of this claim within fifteen days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing with the Commission within fifteen days from the date hereof.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be mailed to you in writing in the near future to your present post-office address.

By L. P. Hudson, attorney for the applicant.

Q Is it your intention to move into the Territory in the near future? A Yes sir.

Q Your father is making arrangements to come here now? A Yes sir he is making arrangements and is coming right away.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 16th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 17th day of November, 1900?

Guy L. Emerson
Notary Public.

M.C.R. 1044

COPY.

Muskogee, Indian Territory, April 14, 1903.

Cora Lee Welch, *Remained to Juana, D.I. on May 18 1903*
Como, Texas.

Dear Madam:

You are hereby advised that on the 14th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Smith Welch, et al., embracing the following applications for identification as Mississippi Choctaws:

Smith Welch, et al.	M.C.R. 6331
Henrietta Buckingham, et al.,	M.C.R. 1045
Cora Lee Welch,	M.C.R. 1044

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Smith Welch, Randolph Welch, Lela Welch, Era Welch, Jilo Welch, Bessie Welch, Henrietta Buckingham, Robert Lee Buckingham and Cora Lee Welch as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

-2-

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

James B. Bixby

Chairman.

Registered.

COPY.

M.O.R. 1044.

Muskogee, Indian Territory, August 25, 1903.

Cora Lee Welch,

Turner, Indian Territory.

Dear Madam:

You are hereby notified that on the 7th day of August, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Smith Welch, et al., of which decision you were advised by registered mail on the 14th day of April, 1903.

Respectfully,

(SIGNED)

Chairman.

May. 16. 1897
Post Master Muskogee
I have been informed
that the Address live in
the Creek Nation

Cora Lee Welch Sweet
{ Turner } Henrietta Buckingh
live at { Twine }

I will return the Regs

Yours Truly

J. S. Noble

Post Master
Cameley

No. 1044

For Identification as a Mississippi Choctaw.

Date NOV 16 1900

Name Cora Lee Welch.

Age 22. Blood 1/4

Post Office, Comco, Texas.

Father: Smith Welch - ✓

Mother: Bettie Welch - ✓

Claims through father.

Children:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 16 1900

ACTING CHAIRMAN.

APR 14 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDING ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 14 1903

RECORD FORWARDED DEPARTMENT.

APR 30 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 7 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDING APPLICANT.

AUG 25 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

AUG 25 1903

REFER TO M. C. R. 6331

Noted P. O. Turner. J. I.

301-1045

author

Department of the Interior,
Commission to the Five Civilized Tribes,
Vuskogee, I. T. Nov. 16, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Henrietta Buckingham and her minor child.
Henrietta Buckingham being duly sworn by the Commission, testified
as follows:

Examination by the Commission.

Q What is your name? A Henrietta Buckingham.
Q What is your age? A I am 23 years old.
Q What is your post-office address? A Como, Texas.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you lived there? A Nine years.
Q Lived there continuously for the past nine years? A Yes
sir.
Q Where did you live before that? A Alabama.
Q How long did you live in Alabama? A I don't know exactly,
I was young when I come out here.
Q How long did you live in Alabama? A About six years.
Q Where did you live before that? A Tennessee.
Q How long did you live in Tennessee? A Two years.
Q Where did you live before that? A Mississippi.
Q How long did you live in Mississippi? A I was born in
Mississippi.
Q How much Choctaw blood do you claim? A One quarter.
Q What is your father's name? A Smith Welch.
Q Is he living? A Yes sir.
Q What is your mother's name? A Bettie Welch.
Q Through which one of your parents do you claim your Choctaw
blood? A On my father's side.
Q Your father's name ever on any of the tribal rolls of
the Choctaw Nation? A Yes sir I reckon so.
Q How do you know? A He said so.
Q When did he say so? A He told me last week.
Q Are you the daughter of Smith Welch who applied to this
Commission for enrollment at Caddo? A Yes sir, I am his daughter.
Q Smith Welch was refused enrollment at that time by this
Commission for the reason that his name was not on any of the
tribal rolls of the Choctaw Nation. Has your father ever been
recognized by the tribal authorities of the Choctaw Nation? A I
don't know so.

Reference is made to the application of Smith Welch
for enrollment as a Choctaw before the Commission at
Caddo, Choctaw card R 325.

Q Is your name on any of the tribal rolls of the Choctaw
Nation? A I don't know, sir.
Q Have you any reason to believe that it is? A I believe
it is.

The name of the applicant is not found upon any of
the tribal rolls of the Choctaw Nation in the
possession of the Commission.

Q Did you ever make application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever ~~been recognized~~ been recognized by the Choctaw

Henrietta Buckingham 2

tribal authorities by any official act of their National Council as a citizen of the Choctaw Nation? A No sir.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation, examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? Q No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because my grand mother told me.

Q Are you making application under the provisions of the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A My grand mother.

Q She complied with the requirements of the fourteenth article of the treaty of 1830? A Yes sir.

Q Did she signify to the United States Indian Agent in Mississippi her intention to remain and become a citizen of the state of Mississippi under the provisions of the 14th article of the treaty of 1830? A I can't understand what you say.

Q Did your grand mother in Mississippi in 1830 or 1831 signify to the United States Indian Agent of the Choctaw Indians in that state her intention to remain and become a citizen of the state of Mississippi? A Yes sir.

Q How do you know? A Because.

Q How do you know that she did that? A I think she did. I don't know.

Q Why do you believe she did? A I don't know sir that she did or not.

Q You know you are under oath don't you? A Yes sir.

Q Now don't make any statements that you don't know what you are saying? A I don't know.

Q What was your grand mother's name? A Sallie Welch.

Q Was she ever held in Slavery? A I don't know sir.

Q Was your father ever held in Slavery? A I don't know.

Q Your father testified before this Commission a year ago last August that both he and his mother were held in slavery. Do you know anything about that? A No sir.

In the testimony of Smith Welch before the Commission at Caddo, Indian Territory, in August, 1899, he states that he was a slave in Tennessee as was also his mother.

Q Is it through your father's mother that you are claiming this right to identification as a Mississippi Choctaw? A Yes sir.

Henrietta Buckingham 3

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A I don't know sir.

Q Do you know anything about your ancestors residence in Mississippi? A No sir.

Q Are you making any claim by reason of any other treaty stipulation between the United States and the Choctaw Indians?

A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A John Buckingham.

Q Are you making any claim for him? A No sir, I have a child though.

Q Is your husband a white man? A You cant hardly tell him from a white man.

Q What is he, is he an Indian? A No sir.

Q Is he a negro? A Yes sir.

Q Where did you marry him? A Texas.

Q When? A I have been married five years.

Q Have you any children? A I have one.

Q What is the name and age of this child? A He's four years old.

Q What is his name? A Robert Lee Buckingham.

Q Is that all the child you have? A Yes sir.

Q You are the mother of this child? A Yes sir.

Q John Buckingham is the father? A Yes sir.

Q You and your husband living together? A Yes sir.

Q This child lives with you? A Yes sir.

Q Is there any additional statement you desire to make in support of your application and the application you make on behalf of your child? A No sir.

Q Is there any ~~xxx~~ written evidence that you desire to offer for the consideration of the Commission in support of this application?

Here L. P. Hudson, attorney for the applicant asks leave to file written evidence in support of this claim in fifteen days.

Permission is granted attorney for the applicant to file written evidence in support of this application, provided the same is offered for filing within fifteen days from the date hereof.

By L. P. Hudson, attorney for the applicant.

Q Are you making preparations to move to the Indian Territory? A Yes sir.

Q Do you expect to remove here in the near future to live?

A Yes sir.

By the Commission. The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws will be mailed to you in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 16th day of November, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 17th day of November, 1900.

Myra Young
Guys L. P. Hudson
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----000-----

In the matter of the application of Henrietta Buckingham,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

Henrietta Buckingham, et al.,
Cora Lee Welch,

M C R 1045
M C R 1046

List of papers forwarded to the Secretary of the Interior
with the record in the above case, together
with the page occupied by each
in said record.

Original application of Henrietta Buckingham, et al.,
for identification as Mississippi Choctaws. 1

Original application of Cora Lee Welch, for
identification as a Mississippi Choctaw. 4

Final decision of the Commission in the con-
solidated case of Henrietta Buckingham, et al.,
applicants for identification as Mississippi
Choctaws, denying such application. 8

M.C.R. 1045

COPY.

Muskogee, Indian Territory, April 14, 1903.

Henrietta Buckingham, *Remailed to Irvine D.J. May 18 1903*
Coma, Texas.

Dear Madam:

You are hereby advised that on the 14th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Smith Welch, et al., embracing the following applications for identification as Mississippi Choctaws:

Smith Welch, et al.	M C R 5331
Henrietta Buckingham, et al.,	M C R 1043,
Cora Lee Welch,	M C R 1044

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Smith Welch, Randolph Welch, Lela Welch, Era Welch, Jilo Welch, Bessie Welch, Henrietta Buckingham, Robert Lee Buckingham and Cora Lee Welch as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

-2-

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

James Pixby.
Chairman.

Registered.

COPY.

M.C.R.1045.

Muskogee, Indian Territory, August 25, 1903.

Henrietta Buckingham,

Twine, Indian Territory.

Dear Madam:

You are hereby notified that on the 7th day of August, 1903, the Secretary of the Interior affirmed the decision of this commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Smith Welch, et al., of which decision you were advised by registered mail on the 14th day of April, 1903.

Respectfully,

(SIGNED)

Chairman.

Working from the
REFUSED

DECISION RENDERED
APR 14 1903

NOTICE TO DECISION MAKER APPLICANT.

APR 14 1903

NOTICE
FOR

APR 14 1903

RECEIVED

APR 14 1903

APR 14 1903

APR 14 1903

APR 14 1903

APR 14 1903

APR 14 1903

APR 14 1903

APR 14 1903

REFER TO M. C. R. 6331

P. C. ...

No. 1045

For Identification as a Mississippi Choctaw.

Date **NOV 16 1900**

Name *Henrietta (Buckingham)*

Age *23* Blood *1/4*

Post Office, *Como, Texas.*

Father: *Smith Welch - ✓*

Mother: *Bettie Welch - ✓*

Claims through *father.*

HUSBAND:

John Buckingham.
(No claim for husband.)

Children:

Robert Lee Buckingham 5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 16 1900



ACTING CHAIRMAN.

Choc. MCR 1046

James A. Lyon

See MCR 1277, 1313, 1279,
1278, 1283

MCR 1046

CHOCTAW

James A. Ryan & al.

REFUSED.

DECISION RENDERED. JUL 23 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 23 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 23 1902

RECORD FORWARDED DEPARTMENT.

JUL 23 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 27 1902

NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

NOV -7 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOV -7 1902

REFER TO M. C. R. { 1277-1313-1279
1278-1283.

3

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, NOVEMBER 20, 1900.

In the matter of the application for identification as Mississippi Choctaws of James Americus Lyon and his three minor children.

James A. Lyon, being first duly sworn, testifies as follows

Examination by the Commission.

- Q What is your name? A James Americus Lyon
- Q What is your age? A 56.
- Q What is your post office address? A Velma
- Q Indian Territory? A Yes sir.
- Q Are you a resident of the Indian territory? A Yes sir
- Q How long have you resided here? A Thirteen years.
- Q Have you maintained a continuous residence in the Indian Territory for thirteen years? A Yes sir.
- Q Where did you live prior to that time? A I lived eight years in Texas and the balance of the time in Tennessee.
- Q How long did you live in Texas? A Eight years.
- Q Where did you live before that? A Tennessee.
- Q How long did you live in Tennessee? A I lived in Texas up till eight years before I moved to the Indian Territory.
- Q You was born there? A Yes sir, born and raised there.
- Q You lived there up to the time you moved to Texas? A Yes sir.
- Q You moved from Texas to Indian Territory? A Yes sir.
- Q You never lived in Mississippi? A No sir.
- Q Did any of your ancestors ever live in Mississippi? A My grandfather and grandmother; my grandmother died in Mississippi.
- Q How much Choctaw blood do you claim? A I claim an eighth.
- Q What is your father's name? A Samuel Anderson Lyon.
- Q Is he living? A No sir.
- Q What is your mother's name? A Mary Ann.
- Q Is your mother living? A No sir.
- Q Through which one of your parents do you claim your Choctaw blood? A My mother.
- Q How long has your mother been dead? A She has been dead four years.
- Q Was her name ever upon any of the tribal rolls of the Choctaw Nation? A I could not tell.
- Q Was she ever recognized during her lifetime by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A I don't know that she was.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been recognized by the Choctaw tribal authorities by any official act of the National Council as a citizen? A No sir.
- Q Did you, or did any one ~~faxxy~~ in your behalf make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in Indian Territory on appeal? A No sir.

James A. Lyon.

2

- Q Have you prior to this time made application to the authorities of the Choctaw Nation or of the United States for enrollment as a Choctaw? A No sir.
- Q This is the first application of any description? A Yes sir.
- Q You now make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Why do you think that you are entitled to lands in the Choctaw Nation, and to identification as a Mississippi Choctaw?
- A Why just because that I am satisfied that my mother never did get -- my ancestors never did get their pro rata share of the -- that they never got their lands there and I believe that they have a right to them here. That is the reason.
- Q Are you making your claim under the provisions of the thirteenth article of the treaty of 1830? A Yes sir.
- Q Did any of your ancestors ever comply with the provisions of the treaty of 1830? A I think so.
- Q Did they signify to the United States Indian Agent or the Choctaws in Mississippi, after the ratification of the treaty of 1830, their intention to remain and become citizens of Mississippi?
- A I don't think they did.
- Q What was the name of your ancestor who was a member of the Choctaw Nation at the time of the ratification of the treaty of 1830?
- A How far do you want me to go back? A
- Q Your ancestor who was a member of the Choctaw tribe?
- A My great grandmother? Q I don't know. Your ancestor who was a member of the Choctaw tribe in 1830.
- A James Tidwell.
- Q Have you any proof of the fact that your great grandmother was a member of the Choctaw tribe of Indians in 1830? A Yes sir.
- Q How do you know it? A Only from my parents. I can get that evidence that they was -- that my mother was recognized --
- Q Now we don't care anything about your mother; was your mother living in 1830? A Yes sir.
- Q Living in the Choctaw Nation in Mississippi in 1830? A I believe that she was, I would not be positive about that. I would not be sure, but I think she was. She was married to my father in Mississippi.
- Q Where in Mississippi? A In Kipper or Tishomingo County. Kipper and Tishomingo counties was where my great grandfather died, and lived for years before he died. He lived in both counties.
- Q Where did your grandfather Jim Tidwell die? A Well, I could not answer that question.
- Q Did he leave the state of Mississippi? A I don't know whether he did or not. I would not be certain.
- Q Did he or did any of your other ancestors through whom you might claim this right, claim or receive any land in Mississippi under the 14th article of the treaty of 1830? A I don't know sir, whether they did or not. My mother's brother came to the Indian Territory from Mississippi in '47 with a lot of Choctaw Indians from Mississippi, and I don't know whether he or his offspring is here or not and I don't know whether he got any benefit of it.
- Q Who was this? A Tidwell
- Q What relation? My mother's brother.
- Q Well, we don't want to know about that. We want to know about your ancestors' action in Mississippi after the ratification of the treaty of 1830. A I think they just stayed there.
- Q Did they signify their intention to the United States Indian Agent to remain there and become citizens of the state of Mississippi?
- A I don't know.

J. A. Lyon- 3

- Q Did they remain there? A My grandfather died there.
- Q You stated that you had no knowledge of their claiming or receiving any land under the fourteenth article of the treaty of 1830?
- A No sir.
- Q Did any of your ancestors ever claim or receive any land under any other article of the treaty of 1830? Was any grant ever made to them by the United States Government? A No sir.
- Q They never received any land under the fourteenth or any other article of the treaty of 1830 or under the supplement to the treaty?
- A No sir, I don't think so.
- Q Were any of your ancestors ever enrolled as Choctaw Indians in the Indian Territory? A I don't know whether my uncle was ever enrolled here or not. If he was not, I never had any, any more than some of them has claimed here by courts; some of the widwells; court claims.
- Q You are not making any claim under any such -- A No sir, I am not. I just come here to see if there was any chance for me to be identified, get any chance to identify myself as a Mississippi Choctaw Indian.
- Q Do you make any claim under any other article of the treaty beside the fourteenth article of the treaty of 1830? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Sarah Elizabeth Lyon.
- Q Is your wife living? A Yes sir.
- Q Never made any claim to Indian citizenship by blood? A No sir.
- Q How old is she? A Forty eight years old; forty nine years old.
- Q You are not making any claim for her? A No sir.
- Q Where did you marry her? A In Tennessee.
- Q When were you married to her? A In 1876.
- Q In accordance with the laws of the state of Tennessee? A Yes sir.
- Q Have you your marriage license and certificate with you? A No sir.
- It will be necessary for the Commission to be furnished with your marriage license and certificate in the matter of the application for identification of your minor children.
- Q Have you any children for whom you make application? A Yes sir.
- Q What are their names and ages? A Upha Cornelia.
- Q Is that a girl? A Yes sir.
- Q How old is she? A She is 17 years old.
- Q The next one? A Jesse Easton.
- Q How old is Jesse? A Jesse is fourteen years old.
- Q What is the next one? A Samuel Amerious.
- Q How old is he? A He is twelve.
- Q Is that all? A Yes sir.
- Q You are the father of these three children? A Yes sir.
- Q Sarah Elizabeth Lyon is the mother? A Yes sir.
- Q You and your wife live together? A Yes sir.
- Q Your claim is identical with theirs? A Yes sir.
- Q Is there any additional statement you desire to make in support of your application and the application you make on behalf of your minor children? A I don't know that there is.

Permission is granted the applicant to file written evidence in support of this application, provided the same is offered for filing with the Commission within fifteen days from the date hereof.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future at your present post office address.

J. A. Lyon-4

Anna Bell, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 20th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Anna Bell

Subscribed and sworn to before me this 20th day of November, 1900.



Acting Chairman.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*Quail
J. W.
C. W.*

In the matter of the application of James Americus
Lyon, et al., for identification as Mississippi Choctaws, consolidat-
ing the applications of

James Americus Lyon, et al.....	M.C.R. 1246
James J. Lyon, et al.....	M.C.R. 1277
Mary E. Williams, et al.....	M.C.R. 1313
Lou Russell, et al.....	M.C.R. 1279
Florence Melton, et al.....	M.C.R. 1278
Walter Franklin Lyon.....	M.C.R. 1283.

--: D E C I S I O N :--

It appears from the record herein that applications
for identification as Mississippi Choctaws were made to this Commis-
sion, by James Americus Lyon for himself and his three minor children
Upha Cornelia, Jesse Easton and Samuel Americus Lyon; by James J.
Lyon for himself and his minor child, Dessie Lyon; by Mary E. Wil-
liams for herself and her three minor children, Etta F., James W.,
and Jesse C. Williams; by Lou Russell for herself and her four minor
children, Ida, Henry, Elijah and Dessie Russell; by Florence Melton
for herself and her three minor children, Effie, May and Essie Melton;

(S).

and by Walter Franklin Lyon for himself, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one James (or Jim) Tidwell, who is alleged to have been a halfblood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said James (or Jim) Tidwell, or

(3).

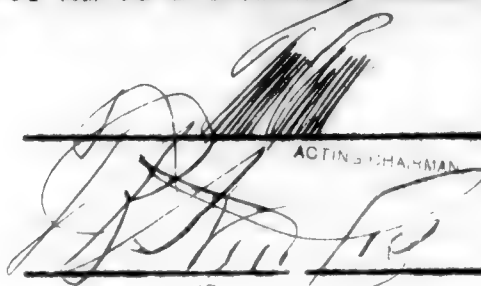
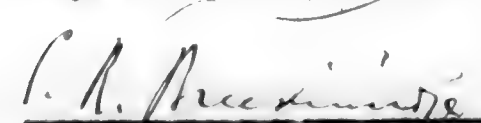
any less remote ancestor of any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Cheetaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180), and August 23, 1842 (5 Stats., 313).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James Americus Lyon, Upa Cornelia Lyon, Jesse Easton Lyon, Samuel Americus Lyon, James J. Lyon, Dessie Lyon, Mary E. Williams, Etta F. Williams, James W. Williams, Jesse C. Williams, Lou Russell, Ida Russell, Henry Russell, Elijah Russell, Dessie Russell, Florence Melton, Effie Melton, May Melton, Essie Melton and Walter Franklin Lyon, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskegee, Indian Territory,

JUL 23 1902


ACTING CHAIRMAN


DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----;

In the matter of the application of James Americus
Lyon, et al., for identification as Mississippi Choctaws. M.C.R.
1046.

List of papers forwarded to the Secretary of the Interior
comprising the record in the above entitled case.

Original application of James Americus
Lyon, et al., to the Dawes Commission
for identification as Mississippi
Choctaws.....1
Decision of the Commission denying
the applications of James Americus
Lyon, et al., for identification
as Mississippi Choctaws.....5

-----;

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

))---:---((

In the matter of the application of James Americus
Lyon, et al., for identification as Mississippi Choctaws, consoli-
dating the applications of

James Americus Lyon, et al.....M.C.R. 1046
James J. Lyon, et al.....M.C.R. 1877
Mary E. Williams, et al.....M.C.R. 1313
Lou Russell, et al.....M.C.R. 1279
Florence Melton, et al.....M.C.R. 1278
Walter Franklin Lyon.....M.C.R. 1223.

List of papers forwarded to the Secretary of the Interior
comprising the record in the consolidated case of
James Americus Lyon, et al.

Original application of James Americus
Lyon, et al., to the Dawes Commission
for identification as Mississippi Choctaws.....1

Original application of James J. Lyon, et
al., to the Dawes Commission for identi-
fication as Mississippi Choctaws.....5

Copy of marriage record of J. J. Lyon and
Theresa Hart.....9

(2)

Original application of Mary E. Williams
et al., to the Dawes Commission for identi-
fication as Mississippi Choctaws.....10

Original application of Lou Russell, et
al., to the Dawes Commission for identi-
fication as Mississippi Choctaws.....14

Original application of Florence Melton,
et al., to the Dawes Commission for identi-
fication as Mississippi Choctaws.....17

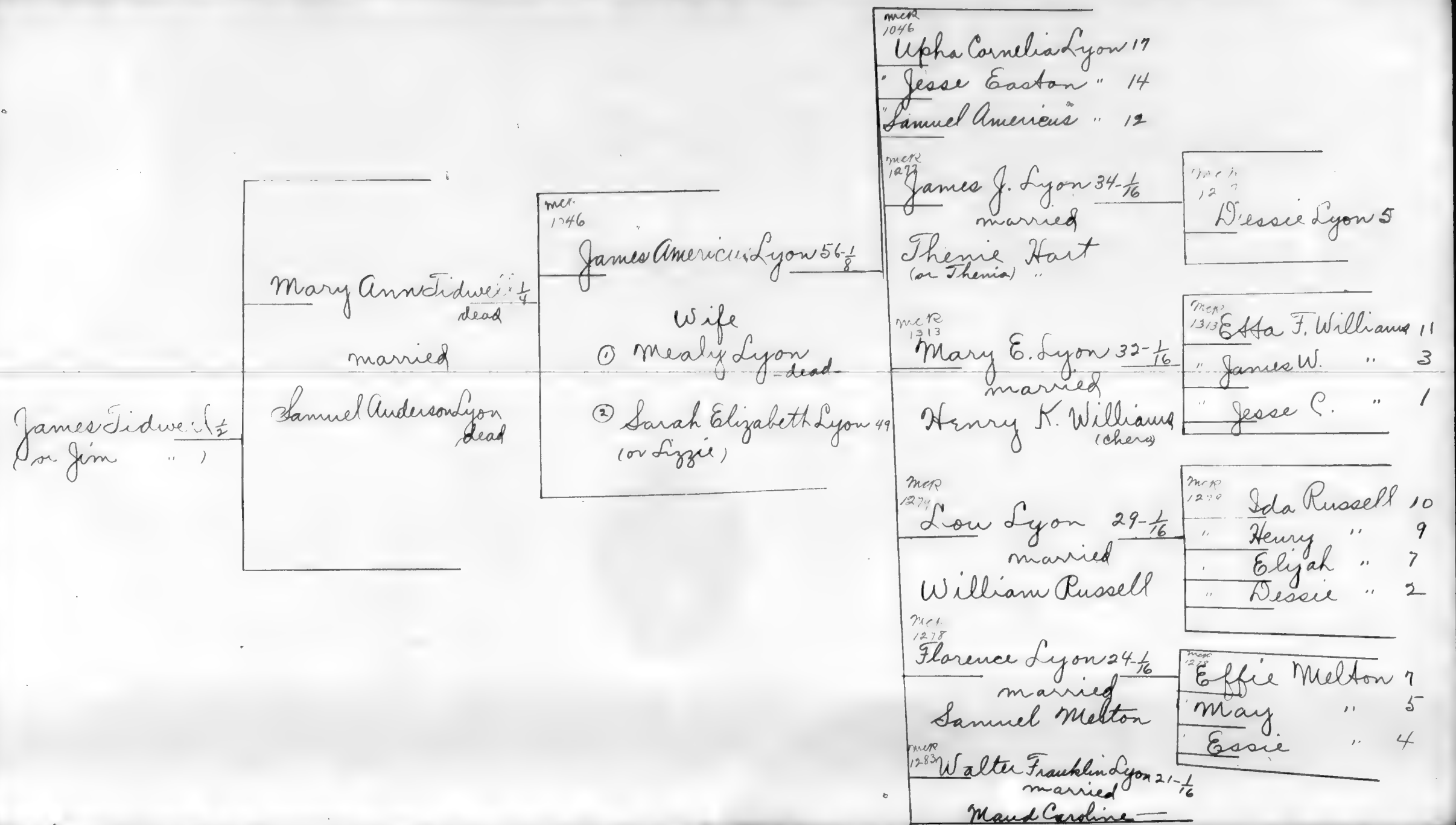
Original application of Walter Franklin
Lyon to the Dawes Commission for identi-
fication as a Mississippi Choctaw.....20

Decision of the Commission denying the ap-
plications in the consolidated case of
James Americus Lyon, et al., for identi-
fication as Mississippi Choctaws.....22.

Consolidated Case
of

James American Lyon et al.

REFER TO M. C. R.



Muskogee, Indian Territory, July 24, 1901.

Mr. James A. Lyon,
Velma, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 15, in which you desire information relative to the disposition of your application for identification as a Mississippi Choctaw, and also as to whether your children will be allowed the privilege of the free schools in the Choctaw Nation this fall.

Replying to your first inquiry, you are informed that it appears from our records that on November 20, 1900, James A. Lyon made personal application before the Commission at Muskogee, Indian Territory for the identification of himself and three minor children as Mississippi Choctaws. The Commission has not taken up your application and rendered any decision relative to the rights of yourself and children as Mississippi Choctaws, and it is probable that no decision will be reached for some time to come. Should you within the near future desire to introduce additional testimony of witnesses in person or documentary evidence in the form of depositions or affidavits, the same will receive the attention and consideration of the Commission in the disposition of this application.

J.A.L. 2

The admission of children to schools in the Indian Territory is a matter over which we have no jurisdiction and can therefore render no opinion as to the rights of your children to share the privileges of the free schools of the Choctaw Nation. The proper person for you to address relative to this matter is Honorable John D. Benedict, Superintendent of Schools in Indian Territory, Muskogee, Indian Territory.

Yours truly,

Commissioner in Charge.

MC 1046

COPY.

M C R 1046

Muskegee, Indian Territory, July, 23, 1902.

James Americus Lyon,
Velma, Indian Territory.

Dear Sir:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James Americus Lyon, et al., embracing the following applications for identification as Mississippi Choctaws:

James Americus Lyon, et al.,	M C R 1046
James J. Lyon, et al.,	M C R 1277
Mary E. Williams, et al.,	M C R 1313
Lou Russell, et al.,	M C R 1279
Florence Melton, et al.,	M C R 1278
Walter Franklin Lyon,	M C R 1283

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stat., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

J A L _B.

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James Americus Lyon, Upha Cornelia Lyon, Jesse Maston Lyon, Samuel Americus Lyon, James J. Lyon, Dossie Lyon, Mary E. Williams, Etta P. Williams, James W. Williams, Jesse C. Williams, Lou Russell, Ida Russell, Henry Russell, Elijah Russell, Dossie Russell, Florence Melton, Effie Melton, May Melton, Rosie Melton, and Walter Franklin Lyon, as Cheetaw Indians entitled to rights in the Cheetaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

RECEIVED,

Registered,

T. E. Needles.

Commissioner in Charge.

Muskogee, Indian Territory, July 23, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of James Americus Lyon, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 23, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

James Americus Lyon, et al.,	M C R 1046
James J. Lyon, et al.,	M C R 1277
Mary E. Williams, et al.,	M C R 1313
Lou Russell, et al.,	M C R 1279
Florence Melton, et al.,	M C R 1278
Walter Franklin Lyon,	M C R 1283

The Commission has the honor to report that the principal applicants in the several separate applications, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Through the Commissioner
of Indian Affairs.
1 enclosure.

Commissioner in Charge.

M C R 1046.

Muskogee, Indian Territory, July 23, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James Americus Lyon, et al., embracing the following applications for identification as Mississippi Choctaws:

James Americus Lyon, et al.,	M C R 1046
James J. Lyon, et al.,	M C R 1277
Mary E. Williams, et al.,	M C R 1313
Leu Russell, et al.,	M C R 1279
Florence Melton, et al.,	M C R 1278
Walter Franklin Lyon,	M C R 1283

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concluded as follows:

N. M. & C. 3.

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James Americus Lyon, Upha Cornelia Lyon, Jesse Easton Lyon, Samuel Americus Lyon, James J. Lyon, Dessie Lyon, Mary E. Williams, Etta F. Williams, James V. Williams, Jesse C. Williams, Lou Russell, Ida Russell, Henry Russell, Elijah Russell, Dessie Russell, Florence Melton, Effie Melton, May Melton, Hattie Melton and Walter Franklin Lyon, as Choctaw Indians entitled to rights in the Choctaw Lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED),

T. B. Needles.

Commissioner in Charge.

- - - COPY - - -

Land

44,589-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Oct. 15, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record and proceedings had before the Commission to the Five Civilized Tribes in the consolidated Mississippi Choctaw case of James Americus Lyon, et al. in which the several applicants seek to be identified as Mississippi Choctaw Indians with rights in the lands of the Choctaw Nation under the provisions of article 14 of the treaty of 1830.

The following cases are consolidated therein:

James Americus Lyon, et al.

James J. Lyon, et al.

Mary E. Williams, et al.,

Lou Russell, et al.

Florence Melton, et al.

Walter Franklin Lyon.

On July 23, 1902, said Commission rendered a decision in this consolidated case finding that the evidence offered in support thereof is insufficient to determine the identity of the several applicants as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article 14.

The office has considered the evidence submitted by the applicants and it does not appear that they are able to show that any of their ancestors ever received a patent for land by reason of having complied with the provisions of article 14 of the treaty of 1830, nor do they furnish any evidence showing that any of their ancestors ever complied or attempted to comply with said provisions. The evidence submitted further shows that none of them are Choctaw Indians of the full blood.

The principal applicant, James Americus Lyon, claims to have derived his Choctaw blood through his mother, Mary Ann who married Samuel Anderson Lyon.

It is further claimed that said principal applicant's grandfather was James Tidwell and that he was a Mississippi Choctaw and resided in that State in 1830.

There are several discrepancies in the evidence submitted by the applicants and their statements relative to the degree of relationship of the ancestors named to the applicants are more or less in conflict. There seems to be no office evidence that would aid in establishing the claims of these applicants, and it is therefore recommended that the decision of the Commission herein be affirmed by the Department.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(W.C.B.) P.

- - - COPY - - -

D.C. 20439.

EAF.

DEPARTMENT OF THE INTERIOR,

Washington,

ITD. 6397-1902.

October 27, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

July 23, 1902, you transmitted the record in the consolidated case involving the applications for identification as Mississippi Choctaws, of James Americus Lyon and his minor children, Upha Cornelia, Jesse Easton and Samuel Americus Lyon; of James J. and Dessie Lyon; of Mary E., Etta F., James W. and Jesse C. Williams; of Lou, Ida, Henry, Elijah and Dessie Russell; of Florence, Effie, May and Essie Melton; and of Walter Franklin Lyon.

The applicants endeavor to trace their descent from one James (or Jim) Tidwell, alleged to have been a half blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said James Tidwell complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the Acts of March 3, 1837 (5 Stat., 137), and August 23, 1842, (5 Stat., 513). You refused the applications July 23, 1902.

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The Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter of October 15, is inclosed herewith.

Finding no reason to disturb your decision it is hereby affirmed.

Respectfully,

E. A. Hitchcock,
Secretary.

E.M.D.

M. C. R. 1046

Muskogee, Indian Territory, November 7, 1902.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 27th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James Americus Lyon, et al., of which decision you were advised by mail on the 23d day of July, 1902.

Respectfully,

Samuel D. Dink
Acting Chairman.

M. C. R. 1046

COPY

Muskogee, Indian Territory, November 7, 1902.

James A. Lyon,
Velma, Indian Territory.

Dear Sir:

You are hereby advised that on the 27th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James Americus Lyon, et al., of which decision you were advised by registered mail on the 23d day of July, 1902.

Respectfully,

James D. Dineen
Acting Chairman.

M C R 1046

Muskogee, Indian Territory, February 14, 1903.

Thomas Lyon,
Granite, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd ultimo to the Secretary of the Interior, which has been by him referred to this Commission for consideration and appropriate action. Therein you ask if J. A. Lyon of the Chickasaw Territory has received his allotment.

In reply to your letter you are informed that it does not appear from the records of the Commission that any person by the name of J. A. Lyon is listed for enrollment as a citizen or freedman of the Chickasaw Nation. The records do show, however, that James A. Lyon, fifty-six years of age, residence Velma, Indian Territory, made application for the identification of himself and minor children, Upha C., Jesse E., and Samuel A. Lyon, as Mississippi Choctaws.

The Commission, on July 23, 1902, rendered its decision refusing his application and on the same date he was notified by registered mail of the action of the Commission and of the forwarding of the record to the Secretary of the Interior. On October 27, 1902, the Secretary of the Interior approved the decision of the

T L 2

Commission, and on November 7, 1902, the applicant was duly notified of such departmental action.

Respectfully,

Acting Chairman.

M C R 1046

Muskogee, Indian Territory, February 24, 1903.

Thomas Lyon,
Granite, Oklahoma Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you ask if J. A. Lyon has received an allotment in the Chickasaw Nation.

In reply to your letter you are informed that the Commission on the 14th instant addressed you a communication fully replying to all the matters concerning which you make inquiry.

Respectfully,

Chairman.

No. 1046

For Identification as a Mississippi Choctaw.

Date NOV 20 1900

Name James A. Lyon.

Age 56. Blood 1/8

Post Office, Velma, I. T.

Father: Samuel A. Lyon - dead

Mother: Mary Ann Lyon - dead.

Claims through mother.

WIFE: Sarah E. Lyon - 49.

(No claim for wife).

Children:

Upha C. Lyon 17

Jesse E. " 14.

Samuel A. " 12.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 19 1900



ACTING CHAIRMAN.

8841-1901, J.A. Lyon, Velma, I
I.T.
June 15, 1901.

MCR 1046, James A. Lyon, et
al

On November 20, 1900, James
A. Lyon applied at Muskogee
I.T. for the identification
of himself and three minor
children as Mississippi
Chontaws. No decision has
as yet been rendered in
this case.

Atoka, July 19, 1901.

AB

Choc. MCR 1047
Anderson J. Lloyd

MCR 1047

Anderson, D. Lloyd et al

REFUSED

DECISION RENDERED. JUL 15 1902

NOTICE OF DECISION MAILED APPLICANT.
JUL 15 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.
JUL 15 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.
OCT 28 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. NOV 7 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOV 7 1902

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 21, 1900.

In the matter of the application for identification as Mississippi Choctaws of Anderson J. Lloyd and his three minor children. Anderson J. Lloyd being duly sworn by the Commission testified as follows:

Examination by the Commission.

Q What is your name? A Anderson J. Lloyd.
Q What is your age? A Sixty six.
Q What is your post-office address? A Hico, Louisiana.
Q Are you a resident of the state of Louisiana? A Yes sir.
Q How long have you lived there? A I have been in the state about 48 years.
Q You have maintained a continuous residence in the state of Louisiana for 48 years? A Yes sir.
Q Where did you live before that? A In Alabama.
Q How long did you live in Alabama? A Well, now, my father-
Q We are not talking about your father? How long did you live in Alabama before you removed to Louisiana? A 4 years I think.
Q Where did you live before that? A Lived one year or two years in Florida, I believe.
Q Lived in Alabama four years? A Yes sir.
Q Where did you live before that? A Well, I was in Alabama -
Q Born in Alabama? A Yes sir.
Q How long did you live there? A I was small when I left there.
Q How small were you? A I think I was about three years old.
Q Where did you go from there? A Come from there to Mississippi.
Q How long did you live in Mississippi? A One year.
Q Whereabouts in Mississippi? A On Beff River.
Q Where did you go from there? A Come to Louisiana;
Q That would agree with your statements at all. You stated that you are 66 years old, born in Alabama and lived there 3 years, moved to Mississippi and lived there one year and then moved to Louisiana and lived there 48 years. You have got 10 years missing some where. A I might have been older when I left Alabama. My age I never did know correct because he lost it. Lost the ages of the children when he left Alabama and I don't know for certain.
Q What did your residence in Mississippi consist of. What were your parents doing there? A He just staid there. Had started out for here and stopped there.
Q Never maintained a residence in the state of Mississippi then? A No sir. After he made one crop there he come on out here.
Q How much Choctaw blood do you claim? A One quarter.
Q What is your father's name? A Thomas Lloyd.
Q Is your father living? A No sir, he's dead.
Q What is your mother's name? A Nancy Lloyd.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw blood? A From my mother.
Q Your mother's name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.

Anderson J. Lloyd 2

Q Was she ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A Not that I know of.

Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not that I know of.

Q Why do you have any doubt about it? A Well ---

Q Have you any reason to believe that your name is on any of the tribal rolls of the Choctaw Nation? A Only just from - that is what I don't know.

Q Have you any reason to believe that it is? A My mother was a half -

Q We are not talking about your mother? Have you any reason to believe your name is on the tribal rolls of the Choctaw Nation? A No.

Re: Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship? A No sir.

Q Ever been recognized by the Choctaw tribal authorities as a citizen? A No.

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A Not that I know of.

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation examined and the name of the applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A Not that I know of.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application either to the tribal authorities of the Choctaw Nation or to the authorities of the United States for either citizenship or enrollment as a Choctaw? A No sir.

Q This is your first application of any description? A Yes sir.

Q It is now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A My mother is in Indian and I suppose that I had a right there too. That is what they had told me.

Q Are you making your application under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.

Q Did you or any of your ancestors ever comply with the provisions of that article of that treaty? A Not that I know of.

Q Did any of your ancestors after the making of the treaty of 1830 in Mississippi, signify to the United States Indian Agent of the Choctaw Indians there, their intention to remain and become citizens of the states? A Not that I know of.

Q What were the names of your ancestors who resided in Mississippi and were recognized members of the Choctaw tribe of Indians in 1830? A I don't know.

Q How did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A Well, I don't know how.

Q State all you know about your ancestor's residence in

Anderson J. Lloyd 3

Mississippi as members of the Choctaw tribe of Indians in 1830? A Well, I don't know anything about it myself because I never was taught - my mother and father never taught me that I was at all only just from what I have heard other people say and from what I know and people claim her to be. Now that's all I know about it.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q What is the only article of any treaty under which you claim? A Yes sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Rebecca.

Q Rebecca Lloyd? A Yes sir.

Q Is she a white woman? A Yes sir.

Q Is she living? A Yes sir.

Q Making any claim for her? A No sir.

Q Where did you marry her? A In Arkansas.

Q When? A I don't recollect when it is, exactly how long it has been.

Q How long have you been married? A I married two years before the war.

Q Were you a resident of the state of Arkansas at the time you married your wife? A No sir. I was right where I was. I got her and run away with her and come down and married her.

Q Have you your marriage license and certificate? A Yes sir.

Q Have you it with you? A No sir.

Q It will be necessary for the Commission to be furnished with your marriage license in the matter of the application for the identification of your minor children. A We just come up there and got married and want back home.

Q Have you any children under 21 years of age and unmarried? A I have got three.

Q What are their names and ages? A Annie Lloyd.

Q How old is she? A She is eighteen I believe.

Q What is the name of your next one? A Joseph Lloyd.

Q How old is Joseph? A He is the oldest one. He is 13 I believe he is.

Q What is the name of the next? A Ora Lloyd.

Q How old is Ora? A She's 17 I think.

Q All these children are unmarried? A Them three is.

Q Those are the only ones we are talking about. These children live with you at your home? A Yes sir.

Q You and your wife live together? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A My lawyers brought some evidence to file. He said he would do that.

Q Is there any additional statement you want to make? A I believe he told me to ask you why was it I couldn't appear for all my children, those over age.

Q The Commission is only authorized to hear applications of the head of the family for himself and his unmarried minor children. Is there any written evidence you desire to offer the Commission for consideration in support of this application? A Yes sir.

Here attorney for applicant asks leave to file written evidence in support of this application within fifteen days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing with the Commission within fifteen days from the date hereof.

Anderson J. Lloyd 4

By L. P. Hudson, attorney for the applicant.

Q Mr. Lloyd is it your intention to remove to the Indian Territory for the purpose of establishing a home? A yes sir.

Q Is the near future? A Yes sir.

By the Commission. The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 21st day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 22nd day of November, 1900.

Guy L. Emerson
Notary public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVECIVILIZED TRIBES.

Quar.
C. J. W.

In the matter of the application of Anderson J. Lloyd,
et al., for identification as Mississippi Choctaws. M.C.R. 1047.

--: D E C I S I O N :--

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Anderson J. Lloyd for himself and his three minor children, Joseph, Annie and Ora Lloyd, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September

(2).

twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Nancy Lloyd, who is alleged to have been a halfblood Choctaw Indian.

It further appears from the evidence offered in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

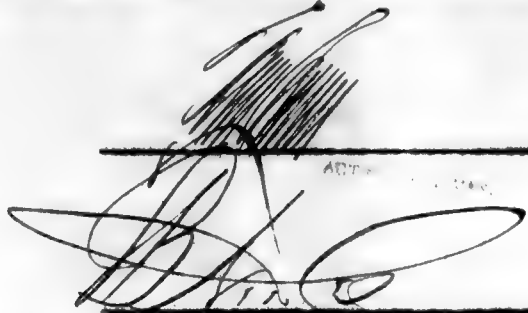
It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Nancy Lloyd, or any of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the Acts of Congress approved March 3, 1867, (5 Stats., 180), and August 23, 1842, (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of

(3).

Anderson J. Lloyd, Joseph Lloyd, Annie Lloyd and Ora Lloyd as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


C. R. McKinstry

Muskogee, Indian Territory

JUL 15 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

2. In the matter of the application of Anderson J. Lloyd,
et al., for identification as Mississippi Choctaws. M.C.R. 1047.

List of papers forwarded to the Secretary of the Interior
comprising the record in the above entitled case.

Original application of Anderson J. Lloyd
et al., to the Dawes Commission for ident-
ification as Mississippi Choctaws.....1
Affidavit of Charles Young.....5
Decision of the Commission denying the
application of Anderson J. Lloyd, et
al., for identification as Mississippi
Choctaws.....7

COPY.

M.C.N. 1047.

Muskogee, Indian Territory, July 15, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Anderson J. Lloyd, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 15th, 1902.

The Commission has the honor to report that the principal applicant herein, his attorney of record, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letter being attached to the record.

Respectfully,

Through the

Commissioner of Indian Affairs.

1 inclosure.

Acting Chairman.

COPY.

H.C.R. 1047.

Muskogee, Indian Territory, July 15th, 1902.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw & Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:-

You are hereby advised that on the 15th, day of July, 1902,
the Commission to the Five Civilized Tribes rendered a decision in
the case of Anderson J. Lloyd, et al., applicants for identification
as Mississippi Choctaws.

These applications were made under the provision of the act of
Congress of June 26, 1898 (30 Stats., 425) which is as follows:

"Said Commission shall have authority to determine the
identity of Choctaw Indians claiming rights in the Choctaw
lands under article fourteen of the treaty between the United
States and the Choctaw Nation, concluded September twenty-
seventh, eighteen hundred and thirty, and to that end may ad-
minister oaths, examine witnesses, and perform all other acts
necessary thereto, and make report to the Secretary of the
Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that
the evidence herein is insufficient to determine the identity
of Anderson J. Lloyd, Joseph Lloyd, Annie Lloyd and Ora Lloyd
as Choctaw Indians entitled to rights in the Choctaw lands
under the provisions of said article fourteen of the treaty
of 1830, and that the application for their identification as
such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Acting Chairman

COPY.

M.C.R. 1047.

Muskogee, Indian Territory, July 13, 1902.

Anderson J. Lloyd,
Hico, Louisiana.

Dear Sir:

You are hereby advised that on the 15th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Anderson J. Lloyd, et al., applicants for identification as Mississippi Choctaws.

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Anderson J. Lloyd, Joseph Lloyd, Annie Lloyd and Ora Lloyd as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior.

for review, and you will be informed in due time of such action
as may be taken by him.

Yours truly,

(SIGNED)

James D. Dwyer

Acting Chairman.

Registered.

C o p y.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

Land.
42745-1902.

Washington, Oct. 24, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made July 15, 1902, by the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Anderson J. Lloyd, for the identification of himself and his three minor children, Joseph, Annie and Ora, as Mississippi Choctaws claiming rights under the fourteenth article of the treaty of 1830.

July 15, 1902, the Commission held that the applicants were not entitled to identification.

Descent is claimed from Nancy Lloyd, mother of Anderson J. Lloyd.

The applicants are not full blood Choctaw Indians. A careful examination of the records of this office fails to show that Nancy Lloyd received a patent to land under the provisions of article fourteen of the treaty of 1830, or complied or attempted to comply with the provisions of said article; neither does it appear that she applied to the commissions appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of any rights she may have had as a Choctaw Indian.

--2--

It is therefore respectfully recommended that the decision of the Commission, rejecting the applications, be affirmed.

Very respectfully,

Your obedient servant,

A. C. TOWNER,

Acting Commissioner.

GAW
D

3 inclosures.

D.C. 20,456

C o p y.

CMR.

DEPARTMENT OF THE INTERIOR.

ITD 6573-1902.

W a s h i n g t o n, October 28, 1902.

LRS

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

The Department has considered the record in the application of Anderson J. Lloyd for the enrollment of himself and his three minor children, Joseph, Annie and Ora Lloyd, as Mississippi Choctaws, submitted by your Commission July 15, 1902. In your decision, of the same date, you held that the applicants are not ~~is~~ entitled to be enrolled.

Principal applicant claims descent from his mother, Nancy Lloyd, an alleged half blood Choctaw Indian.

The record fails to show that any one of the applicants was ever duly admitted to citizenship in the Choctaw Nation, or that the alleged ancestor, Nancy Lloyd, ever complied or attempted to comply with the provisions of article fourteen of the treaty of September 27, 1836, or with the Acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

The Acting Commissioner of Indian Affairs forwarded the case October 24, 1902, and recommends that your decision be affirmed.

The Department, having carefully reviewed the whole case, hereby affirms your decision.

--2--

A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

E. A. HITCHCOCK,

Secretary.

GWE

1 inclosure.

M.C.R.1047

COPY.

Muskogee, Indian Territory, November 7, 1902.

Anderson J. Lloyd,

Hico, Louisiana.

Dear Sir:

You are hereby advised that on the 28th day of October, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Anderson J. Lloyd, et al., of which decision you were duly advised by registered mail on the 15th day of July, 1902.

Respectfully,

(SIGNED)

Acting Chairman.

M.C.R. 1047

COPY.

Muskogee, Indian Territory, November 7, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Cheetaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 28th day of October, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application for identification as Mississippi Cheetaws of the several persons included in the application of Andersen J. Lloyd, et al., of which decision you were duly advised by mail on the 15th day of July, 1902.

Respectfully,

James H. Hasty
Acting Chairman.

No. 1047

For Identification as a Mississippi Choctaw.

Date **NOV 20 1900**

Name *Anderson J. Lloyd.*

Age *66* Blood *1/4*

Post Office *Hico, Louisiana.*

Father: *Thomas Lloyd - dead.*

Mother: *Nancy Lloyd - ✓*

Claims through *mother.*

WIFE:

Rebecca Lloyd.
(No claim for same)

Children:

Annie Lloyd. 18

Joseph " 19.

Ora " 17.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 21 1900

[Signature]

Choc. MCR 1048

Marion N. McGee

See MCR 203

MCR 1048

Marion N. McGee et al

REFUSED

DECISION RENDERED.

APR 21 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 21 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

APR 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 21 1902

RECORD FORWARDED DEPARTMENT.

APR 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 1 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOV 1 2 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOV 1 2 1902

REFER TO M. C. R. 203

M. C. R-1048

Depart ent of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 21, 1900.

In the matter of the application of Marion N. McGee, for the identification of himself and his seven minor children as Mississippi Choctaws. Marion N. McGee being duly sworn by Acting Chairman Bixby, testified as follows:

Examination by the Commission.

- Q What is your name? A Marion N. McGee.
Q What is your age? A 50.
Q What is your post-office address? A Hico, Louisiana.
Q Are you a resident of the state of Louisiana? A I am.
Q How long have you resided there? A 24 years.
Q Maintained a continuous residence in Louisiana for the past 24 years? A Yes sir.
Q Where did you live prior to that time? A In Alabama.
Q How long did you live in Alabama? A 26 years.
Q Born in Alabama? A Born in Alabama.
Q And lived there until you removed to the state of Louisiana? A Yes sir.
Q Have you ever maintained a residence in the state of Mississippi? A No sir.
Q Did any of your ancestors ever maintain a residence in the state of Mississippi? A They lived with the Choctaw tribe.
Q As members of the Choctaw tribe of Indians? A Yes sir, Mississippi Choctaws.
Q How much Choctaw blood do you claim? A One eighth.
Q What is your father's name? A James McGee.
Q Is he living? A No sir.
Q What is your mother's name? A Emily McGee.
Q Is your mother living? A No sir.
Q Through which one of your parents do you claim your Choctaw blood? A My mother.
Q How long has your mother been dead? A I don't know exactly. She's been dead 49 years. I was only ten months old when she died.
Q Was she ever recognized as a member of the Choctaw tribe of Indians in Mississippi? A Not that I know of.
Q Was her name on any of the Choctaw tribal rolls? A If it was I don't know it.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of citizens of the Choctaw nation in the possession of the Commission, examined and the name of the applicant does not appear thereon.

- Q Have you ever been recognized by the Choctaw tribal authorities in any manner as a citizen of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Did you, or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw nation made to this Commission in 1896 ~~was~~ examined and the name of the applicant does not appear thereon.

Marion N. McGee 2

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to either the Choctaw tribal authorities or to the authorities of the United States for either citizenship or enrollment as a Choctaw?

A None whatever.

Q This is your first application of any description? A Yes sir.

Q It is now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because my mother was Mississippi Choctaw.

Q You are making your claim as a beneficiary under the provisions of the 14th article of the treaty of 1830? A I am.

Q Did any of your ancestors ever comply with the provisions of that article of that treaty? A Not that I know of.

Q What was the name of your ancestor or ancestors who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw Indians and who were at that time recognized members of that tribe? A Martha Moore.

Q What relation was Martha Moore to you? A My grand mother.

Q You are a direct lineal descendant of hers? A Yes sir.

Q Have you evidence showing that? A Yes sir, my attorney's got it.

Q What does it consist of? A It shows that my mother was my grand mother's daughter.

Q Have you any evidence showing that Martha Moore was a recognized member of the Choctaw tribe of Indians in Mississippi in 1830? A No sir, I haven't.

Q Have you any evidence showing that any of your ancestors signified to the United States Indian Agent of the Choctaw Indians in Mississippi, their intention to remain in Mississippi and become citizens of that state, after the conclusion of the treaty of 1830?

A No sir.

Q Did any of your ancestors receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Not that I know of.

Q Do you make any claim by reason of any other treaty stipulation entered into between the United States and the Choctaw Nation? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Leticia J. McGee.

Q Are you making any claim for her? A No sir.

Q She is a white woman? A Yes sir.

Q Has she ever made any claim to Indian citizenship by blood? A No sir.

Q Where did you marry her? A I married her in Dallas County Alabama.

Q When? A 1872.

Q Married to her in accordance with the laws of the state of Alabama? A I did.

Q Have you your marriage license and certificate? A No sir.

Q It will be necessary for the Commission to be furnished with evidence of your marriage to your wife for the identification of your minor children? A I can get it.

Q Have you any children under 21 years of age and unmarried for whom you want to make application? A Seven.

Q What are their names and ages? A Emma P. McGee, twenty.

Q What is the next one? A Wilber H.

Q How old? A He is 18.

Marion N. McGee 3

Q The next one? A Marion G.
Q How old is he? A Sixteen.
Q The next one? A Bink B..
Q How old is he? A He's thirteen.
Q The next one? A Chester V.
Q How old is he? A He's ten.
Q The next one? A Claiborn B.
Q How old is he? A He's 8.
Q The next one? A Nettie L.
Q How old is Nettie? A She's four.
Q You are the father of these seven children? A Yes sir.
Q Luticia J. McGee is the mother? A Yes sir.
Q These children all live with you at your home? A Yes sir.
Q You and your wife live together? A Yes sir.
Q Is there any additional statement you desire to make in support of this application? A Nothing only I want my attorney to --
Q Is there any written evidence you want to offer the Commission for consideration in support of this application?

Here, L. P. Hudson, attorney for the applicant, asks leave to file written evidence in support of this claim provided the same is filed within fifteen days from this date.

Permission is granted the attorney for applicant to file written evidence in support of this application provided the same is offered for filing within 15 days from the date hereof.

By L. P. Hudson, attorney for the applicant.

Q Mr. McGee, it is your intention to remove to the Indian Territory for the purpose of making your home here? A Yes sir.
Q And to do that in the near future? A Yes sir, as soon as possible.

By the Commission.

The decision of the Commission as to your application and the application you make on behalf of your seven minor children for identification as Mississippi Choctaws will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states, that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 21st day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 22nd day of November, 1900.

Lucy L. Emerson
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Marion N. McGee for the identification of himself and his minor children, Emma P., Wilber N., Marion G., Dink B., Chester V., Claiborn B. and Nettie L. McGee, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that Marion N. McGee appeared before the Commission at Muskogee, Indian Territory, November 21st, 1900, and there made application for the identification of himself and his minor children, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee and Nettie L. McGee, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Marion N. McGee and his minor children, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee and Nettie L. McGee, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Dated at Muskogee, Indian Territory

ACTING CHAIRMAN.

this ____ day of _____ 1901.

Muskogee, Indian Territory, January 5, 1901.

Hudson & Arnold,

Ardena, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 15th of December, 1900, enclosing certified copy of marriage license and certificate between H. N. McGee and Miss Leticia J. Reedy, offered for filing in the matter of the application of Marion H. McGee for the identification of himself and seven minor children as Mississippi Choctaws, and the same has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

M. C. R-1048

Muskogee, Indian Territory, May 25, 1901.

Mr. Marion H. McGee,

Hico, Louisiana,

Dear Sir:

The Commission is in receipt of your letter of May 20, in which you ask information in regard to the applications for identification as Mississippi Choctaws of yourself and your son. In reply to your letter, you are advised that on November 21, 1900, Marion H. McGee appeared before the Commission at Muskogee, Indian Territory, and applied for identification for himself and seven minor children. On the same date, James H. McGee, son of Marion H. McGee, appeared before the Commission at Muskogee, Indian Territory, and applied for the identification of himself and his minor child as Mississippi Choctaws. No decision has yet been rendered in these cases, and until this is done, the Commission cannot advise you what action will probably be taken. As soon as possible, your case will be taken up and a decision rendered. You will then be furnished with a copy of the said decision.

In reply to that part of your letter in which you ask if the Mississippi Choctaws will share in the Choctaw annuities, you are advised that, under the provisions of the fourteenth article of the treaty of 1830, those Mississippi Choctaws who are identified will not be entitled to share in the Choctaw annuities.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, October 3, 1901.

Mr. Marion N. McGee,
Hico,
Louisiana.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 20th, in which you ask whether there is anything wrong with the papers pertaining to yourself and your son.

In reply to your letter you are advised that it appears from our records that on November 21st, 1900, Marion N. McGee appeared before the Commission at Muskogee, Indian Territory and applied for the identification of himself and seven minor children as Mississippi Choctaws. On the same date, James F. McGee, son of Marion N. McGee, appeared before the Commission at Muskogee, Indian Territory and applied for the identification of himself and his minor child as Mississippi Choctaws.

No decision has yet been reached in regard to these applications, or any opinion rendered. When such decision is reached a copy of the same, stating fully therein the reasons for any action taken by the Commission, will be mailed to the applicants.

Yours truly,

M. C. 1042.

Copy.

COMMISSIONERS

HENRY L. DAWES
TAMM BIXBY
THOMAS B. NEEDLES
C. R. BRUCKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, April 21, 1902.

Marion N. McGee,
Hico, La.

Dear Sir:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Susan J. Tippit, et al., embracing the following applications for identification as Mississippi Choctaws:

Susan J. Tippit, et al.,	M	C	R	203
Alva N. Tippit, et al.,	M	C	R	202
John R. Tippit, et al.,	M	C	R	204
Mary E. Tippit,	M	C	R	347
Suetta Tippit,	M	C	R	348
Marion N. McGee, et al.,	M	C	R	1048
James F. McGee, et al.,	M	C	R	1049
Mattie Walker, et al.,	M	C	R	1160
Marion E. Martin,	M	C	R	1161
David Martin, et al.,	M	C	R	1162
Callie Walker, et al.,	M	C	R	1164
Sallie Carroll, et al.,	M	C	R	1165
Verna Annabel Pierson, et al.,	M	C	R	1176
George F. Martin, et al.,	M	C	R	1182
Malitee Paralee Harris, et al.,	M	C	R	1185
Robert M. Martin, et al.,	M	C	R	1188
Neatie Bozeman,	M	C	R	1189
Rutherford McDuffey Martin,	M	C	R	1190
Rotha B. Walker,	M	C	R	1191
David Moseley Walker,	M	C	R	2086
Evie Melton, et al.,	M	C	R	2138
Robert F. Williams, et al.,	M	C	R	2245
William H. Williams,	M	C	R	2246
Mollie Williams,	M	C	R	2247
Maggie Williams,	M	C	R	2248
Susan A. B. Terry, et al.,	M	C	R	2325
John H. Martin, et al.,	M	C	R	2326
Joseph P. Martin,	M	C	R	2327
Ada Wylie,	M	C	R	2480
William T. Wright,	M	C	R	2481
Mitchel L. Wright, et al.,	M	C	R	2482

Martha L. Wright, et al.,	M	C	R	2483
James G. Wright, et al.,	M	C	R	2484
Nannie Parnell, et al.,	M	C	R	2493
Thomas M. Martin,	M	C	R	2501
Robert A. Martin,	M	C	R	2508
Anna Parnell, et al.,	M	C	R	2637
William S. Eaves, et al.,	M	C	R	3621
Rebecca Lue Hooks, et al.,	M	C	R	3622
Sarah J. Chambers, et al.,	M	C	R	3668
Emily A. Eaves, et al.,	M	C	R	3669
Willie Jowers,	M	C	R	3670
Annie Atchison, et al.,	M	C	R	3671
William F. Martin, et al.,	M	C	R	3677
Mary J. Tate, et al.,	M	C	R	3678
Eliza Perkerson,	M	C	R	3679
Ettie Merritt,	M	C	R	3680
Jesse Z. Eaves, et al.,	M	C	R	3681
Pierson G. W. Hooks,	M	C	R	3682
Effie Harris,	M	C	R	3683
Walter Martin,	M	C	R	3684
James W. Campbell, et al.,	M	C	R	3685
Margaret Missouri Campbell,	M	C	R	3745
Elijah Campbell,	M	C	R	3746
Mildred Annett Wallace,	M	C	R	3747
Eliazer J. Milling, et al.,	M	C	R	3748
James Eaves,	M	C	R	3749
Walter Eaves,	M	C	R	3750
David W. Martin, et al.,	M	C	R	3909
Mattie Warner,	M	C	R	3910
Vesta M. Herod,	M	C	R	3911
Robert W. Martin, et al.,	M	C	R	4491

Said decision after a review of the evidence submitted concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495), is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Susan J. Tippit, Gena J. Tippit, James T. Tippit, William J. Tippet, Eunice Tippet, Minnie H. Tippet, Alva N. Tippet, Hazel Tippet, John R. Tippet, Mary E. Peterson, J. Aubrey Peterson, Suetta Tippet, Marion N. McGee, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee, Nettie L. McGee, James F. McGee, Gertie McGee, Mattie Walker, Jimmie Joe Walker, Ursie Callie Walker, Marion E. Martin, David Martin, Arthur Martin, Evie Estelle Martin, Callie Walker, Walter Stanford Walker, Audress More Walker, Sallie Carroll, James Robert Carroll, John Spurgeon Carroll, Melvin Hudson Carroll, Furney Jackson Carroll, Le Vert Milling Carroll, Le Trell Carroll, Reuben Mixon Carroll, Verna Annabel Pierson, Glenwood Marion Pierson, George F. Martin, Howell Martin, Edna Martin, Paul Martin, Carrie Beatrice Martin, Malitee Paralee Harris, Curtis Harris, Nannie Harris, Virgie Harris, Clyde Harris, Robert M. Martin,

Benjamin Martin, David Martin, Mary Martin, Edna Martin, Charley Martin, George Martin, Della Martin, Silas Martin, Inez Martin, Lula Martin, Paul Martin, Gracie Martin, Neatie Boze-man, Rutherford McDuffey Martin, Rotha B. Walker, David Moseley Walker, Evie Melton, Evelyn Marie Melton, Oliver Reynolds Melton, Robert F. Williams, Lucy Williams, Janie Williams, Robert Williams, William H. Williams, Mollie Williams, Maggie Williams, Susan A. B. Terry, Birdie A. B. Talley, Mattie L. Terry, Addie E. Terry, Robert I. Terry, Velma M. Terry, William W. Terry, John H. Martin, Ulysus C. Martin, Eva Martin, Joseph P. Mar-tin (dead), Ada Wylie, William T. Wright, Mitchel L. Wright, Lou Thelma Wright, Martha L. Wright, David M. Wright, Rebecca Wright, James G. Wright, Robert Orvin Wright, Eddie Susie Wright, Nannie Parnell, Lealla Parnell, Eva Parnell, Erly Parnell, Velma Parnell, Wil-lie May Parnell, Thomas M. Martin, Robert A. Martin, Anna (M) Parnell, Carrie I. Parnell, William S. Eaves, Elizabeth F. Eaves, Mary Lue Eaves, Pierson L. Eaves, Rebecca Lue Hooks, Eliza Dorcas Hooks, Sarah J. Chambers, Lila May Chambers, Emily A. Eaves, Mar-vin Eaves, Willie Jowers, Annie Atchison, Luther D. Atchison, Edward Atchison, Willam F. Martin, Annie Lee Martin, Leonard Allen Martin, Mary J. Tate, Aubrey J. Tate, Eliza Perkerson, Ettie Merritt, Jesse Z. Eaves, Willie Eaves, Ola May Eaves, Pierson G. W. Hooks, Effie Harris, Walter Martin, James W. Campbell, Lillian E. Campbell, Lela G. Campbell, Mamie I. Campbell, Margaret Missouri Campbell, Elijah Campbell, Mildred Annett Wallace, Eliazer J. Milling, Robert Milling, Johnny Milling, Willie Milling, Palestine Milling, Luella Milling, James Eaves, Walter Eaves, David W. Martin, Sammy D. Martin, Emily L. Martin, Robert A. Martin, Ruby A. Martin, Tom Smith Martin, Leslie L. Martin, Omega Martin, Mattie Warner, Vesta M. Herod, Robert W. Martin, Robert W. Martin, Jr., Zada I. Martin, and William W. Martin as Choctaw Indians entitled to rights in the Choctaw lands un-der the provision of law above quoted, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Susan J. Tippit for the identification of her husband, James A. Tippit, the application made by Alva N. Tippit for the identification of his wife, Edna Tippit, and the application made by John R. Tippit for the identification of his wife, Dora Tippit, as intermar-ried Mississippi Choctaws, should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED), *Tamie Dixby.*

Registered.

Acting Chairman.

COPY.

M.C.R. 1040.

Muskogee, Indian Territory, November 12, 1902.

Marion H. McGee,

Rice, La.

Dear Sir:

You are hereby advised that on the 1st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Susan J. Tippit, et al., of which decision you were advised by registered mail on the 21st day of April, 1902.

The Commission is directed to advise you that this decision is subject to your inspection.

Yours truly,

(SIGNED)

Tame Kirby.
Acting Chairman.

M C R 1048

Muskogee, Indian Territory, December 21, 1903.

Marion W. McGee,
Hico, Louisiana.

Dear Sir:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippet, et al., in which case the decision of the Commission rejecting the applicants was approved by the Department, November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to your inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

M H NoG 2

ment now directs the Commission to notify you that if you wish to take any further action relative to the motion filed by W. M. Springer, on March 24, 1903, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

M C R 1048

Muskogee, Indian Territory, January 6, 1905.

Marion N. McGee,
Rico, Louisiana.

Dear Sir:

You are hereby notified that the motion heretofore made before the Secretary of the Interior to reopen the consolidated Mississippi Choctaw case of Susan J. Tippit, et al., was denied by the Department on December 24, 1904.

Respectfully,

Chairman.

COPY

MCR-1048

Muskogee, Indian Territory, January 17, 1907.

Marion W. McGee,
Hico, Louisiana.

Dear Sir:-

You are hereby notified that on January 7, 1907, the Secretary of the Interior denied a motion, filed June 25, 1906, by Albert J. Lee, attorney at law, Ardmore, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Susan J. Tippit et al., of which the application for the identification of yourself and children is a part.

Respectfully,

Wams Bixby.

Commissioner.

No. 1048

For Identification as a Mississippi Choctaw.

Date, NOV 21 1900
Name Marion N. Mc Gee.
Age 50 Blood 1/8.
Post Office, Nico, Louisiana.
Father: James Mc Gee - dead.
Mother: Mc Emily Mc Gee - dead.
Claims through mother.

WIFE:

Luticia J. Mc Gee.
(No claim for wife).

Children:

Emma P. Mc Gee	20.
Wilber M. " "	18.
Marion G. " "	16.
Quint B. " "	13.
Chester V. " "	10.
Clairborne B. " "	8.
Nellie X.	"

COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 21 1900

G. O. Number 10,449-1900.
Hudson & Arnold, Anchorage, I.C.
Dec. 13, 1900.

M. C. R. 1048 Marion M. McGee,
et al.

Marion M. McGee, 10 years 10,
of Rice, Tex., on November 1,
1900, appeared before the Com-
missioner of the Land Office, and applied
for the reclassification of her-
self and three minor children
as Mississippi Indians. The
judgment rendered in this
case.

Anchorage, December 4, 1900.

AB

Choc. MCR 1049

James F. McGee

See MCR 203

MCR 1049

CHICKASAW
James F. McGee et al

REFUSED

DECISION RENDERED.

APR 21 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 21 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS

APR 21 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 21 1902

RECORD FORWARDED DEPARTMENT.

APR 21 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 12 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOV 12 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

NOV 12 1902

REFER TO M. C. R. 203

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 21, 1900.

In the matter of the application for identification as
Mississippi Choctaws of James F. McGee and his minor child. James
F. McGee being duly sworn by Acting Chairman Bix by, testified as
follows:

Examination by the Commission.

- Q What is your name? A James F. McGee.
Q What is your age? A 24.
Q What is your post-office address? A Hico, Louisiana.
Q Are you a resident of the state of Louisiana? A Yes sir.
Q How long have you resided there? A Nearly 24 years.
Q Where were you born? A Alabama.
Q Moved from there to Louisiana? A Yes sir.
Q How much Choctaw blood do you claim? A One sixteenth.
Q What is your father's name? A Marion N. McGee.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Lucitia.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q Is your father's name on any of the tribal rolls of the
Choctaw Nation? A No sir.
Q Your father ever recognized as a citizen of the Choctaw
Nation by the Choctaw tribal authorities? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw
Nation? A No sir.

Tribal rolls of citizens of the Choctaw Nation in
the possession of the Commission, examined and the
name of the applicant does not appear thereon.

- Q Have you ever made application to the Choctaw tribal
authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal
authorities by any official act of their National Council as a
citizen of that Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make applica-
tion to this Commission for citizenship in the Choctaw Nation
under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to this Commission in
1896 for citizenship in the Choctaw Nation examined
and the name of the applicant does not appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw
Nation by the United States Courts in the Indian Territory? A No
sir.

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Courts, examined and the name of the applicant does
not appear thereon.

- Q Have you ever prior to this time made any application to
either the Choctaw tribal authorities or to the authorities of the
United States for either citizenship or enrollment as a Choctaw?
A No sir.
Q This is your first application of any description? A Yes

James F. McGee 2

sir.

Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Q Why do you believe that you are entitled to be identified by this Commission as a Choctaw Indian entitled to rights in the Choctaw lands under the provisions of the 14th article of the treaty of 1830? A Because my father is a one eighth Mississippi Choctaw.

Q You think that gives you a right and an interest in the Choctaw lands in the Indian Territory? A Yes sir.

Q Why? A Because my father was one eighth and I am one sixteenth would give me a right to come here and live.

Q Who gave you this right? A Mississippi Choctaw.

Q Under the 14th article of the treaty of 1830? A Yes sir.

Q Did any of your ancestors ever comply with the provisions of the 14th article of the treaty of 1830? A No sir.

Q Did any of your ancestors ever signify to the United States Indian Agent in Mississippi, their intention to remain and become citizens of the states after the conclusion of the treaty of 1830?

A No sir.

Q What was the name of your ancestor who resided in Mississippi in 1830 at the time the treaty was entered into between the United States and the Choctaw nation and who was a recognized member of the Choctaw tribe of Indians at that time? A Martha Moore.

Q What relation was Martha Moore to you? A My ~~great grandmother~~ father's grandmother. My great ~~grandmother~~ grandmother I guess.

Q Was Martha Moore a recognized member of the Choctaw tribe of Indians in Mississippi? A I don't know.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.

Q What do you know about Martha Moore's residence in Mississippi and her recognition as a Choctaw Indian? A I don't know anything only ----

Q Do you know when she lived there? A No sir.

Q Do you know when she died? A No sir.

Q Do you know anything about her? A Only what I have been taught.

Q What have you been taught? A That she was Indian and that I had a right, you know.

Q What do you know about Martha Moore? A I don't know anything about her only I have been taught she had Indian blood in her, you know.

Q Are you making any claim by reason of any other treaty stipulation besides the 14th article of the treaty of 1830? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Bettie.

Q Is she a white woman? A Yes sir.

Q Are you making any claim for her? A No sir.

Q Where did you marry her? A In Hibo, Louisiana.

Q When? A Three years ago.

Q Married to her in accordance with the laws of the state of Louisiana?? A Yes sir.

Q Have you your marriage license and certificate? A Not with me? A It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in the matter of the application for the identification of your minor child. What is the name of your child? A Gertie McGee.

Q How old is she? A Two years old.

Q This is the only child you have? A Yes sir.

Q Bettie McGee is the mother? A Yes sir.

Q You and your wife are living together? A Yes sir.

Q The child lives with you? A Yes sir.

Q Is there any additional statement you desire to make in support of this application? A No sir.

Q Is there any written evidence you desire to offer the Commission for consideration of the Commission in support of this application?

James F. McGee 3

Here L. P. Hudson attorney for the applicant asks leave to file written evidence in support of this application within fifteen days from this date.

Permission is granted the attorney for the applicant to file written evidence in support of this application provided the same is offered for filing with the Commission within fifteen days from the date hereof.

By L. P. Hudson, attorney for the applicant/

Q Mr. McGee, do you intend to move to the Indian Territory for the purpose of making a home here? A Yes sir.

Q And to do that in the near future? A Yes sir.

By the Commission.

The decision of the Commission as to your application and the application you make on behalf of your minor child for identification as Mississippi Choctaws, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 21st day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 22nd day of November, 1900.

Guy L. Emerson
~~Acting Chairman~~
Notary Public

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of James F. McGee for the identification of himself and his minor child, Gertie McGee, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that James F. McGee appeared before the Commission at Muskogee, Indian Territory, November 21st, 1900, and there made application for the identification of himself and his minor child, Gertie McGee, as Mississippi Choctaws. The provision of law vesting the Commission with authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of James F. McGee and his minor child, Gertie McGee, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

DATED AT MUSKOGEE, INDIAN TERRITORY

THIS _____ DAY OF _____ 1901.

ACTING CHAIRMAN.

Muskogee, Indian Territory, December 6, 1900.

Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 3rd instant, enclosing marriage license and certificate between J. F. McGee and Miss Bettie Autrey, offered by you for filing in the matter of the application of James F. McGee et. al for identification as Mississippi Choctaws. Also, certified copy of marriage license and certificate between J. T. Gagle and Miss Frena Hartly, offered by you for filing in the matter of the application of Sophronia C. Gagle et. al for identification as Mississippi Choctaws.

The same have been duly filed with the records of the Commission in their respective cases.

You also enclose in your letter the application for enrollment as a citizen of the Choctaw Nation of Lola C. Oswalt, the infant daughter of J. S. and Mint Oswalt, born September 4th, 1900, and the same has been duly filed with the records of the Commission as evidence of the birth of this child.

Yours truly,

Acting Chairman.

M. C. R-356
M. C. R 1053
M. C. R 1049

COPY.

COMMISSIONERS

HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, April 21, 1902.

James F. McGee,

Hico, La.

Dear Sir:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Susan J. Tippit, et al., embracing the following applications for identification as Mississippi Choctaws:

Susan J. Tippit, et al.,	M	C	R	203
Alva N. Tippit, et al.,	M	C	R	202
John R. Tippit, et al.,	M	C	R	204
Mary E. Tippit,	M	C	R	347
Suetta Tippit,	M	C	R	348
Marion N. McGee, et al.,	M	C	R	1048
James F. McGee, et al.,	M	C	R	1049
Mattie Walker, et al.,	M	C	R	1160
Marion E. Martin,	M	C	R	1161
David Martin, et al.,	M	C	R	1162
Callie Walker, et al.,	M	C	R	1164
Sallie Carroll, et al.,	M	C	R	1165
Verna Annabel Pierson, et al.,	M	C	R	1176
George F. Martin, et al.,	M	C	R	1182
Malitee Paralee Harris, et al.,	M	C	R	1185
Robert M. Martin, et al.,	M	C	R	1188
Neatie Bozeman,	M	C	R	1189
Rutherford McDuffey Martin,	M	C	R	1190
Rotha B. Walker,	M	C	R	1191
David Moseley Walker,	M	C	R	2086
Evie Melton, et al.,	M	C	R	2138
Robert F. Williams, et al.,	M	C	R	2245
William H. Williams,	M	C	R	2246
Mollie Williams,	M	C	R	2247
Maggie Williams,	M	C	R	2248
Susan A. B. Terry, et al.,	M	C	R	2325
John H. Martin, et al.,	M	C	R	2326
Joseph P. Martin,	M	C	R	2327
Ada Wylie,	M	C	R	2480
William T. Wright,	M	C	R	2481
Mitchel L. Wright, et al.,	M	C	R	2482

Martha L. Wright, et al.,	M	C	R	2483
James G. Wright, et al.,	M	C	R	2484
Nannie Parnell, et al.,	M	C	R	2493
Thomas M. Martin,	M	C	R	2501
Robert A. Martin,	M	C	R	2508
Anna Parnell, et al.,	M	C	R	2637
William S. Eaves, et al.,	M	C	R	3621
Rebecca Lue Hooks, et al.,	M	C	R	3622
Sarah J. Chambers, et al.,	M	C	R	3668
Emily A. Eaves, et al.,	M	C	R	3669
Willie Jowers,	M	C	R	3670
Annie Atchison, et al.,	M	C	R	3671
William F. Martin, et al.,	M	C	R	3677
Mary J. Tate, et al.,	M	C	R	3678
Eliza Perkerson,	M	C	R	3679
Ettie Merritt,	M	C	R	3680
Jesse Z. Eaves, et al.,	M	C	R	3681
Pierson G. W. Hooks,	M	C	R	3682
Effie Harris,	M	C	R	3683
Walter Martin,	M	C	R	3684
James W. Campbell, et al.,	M	C	R	3685
Margaret Missouri Campbell,	M	C	R	3745
Elijah Campbell,	M	C	R	3746
Mildred Annett Wallace,	M	C	R	3747
Eliazer J. Milling, et al.,	M	C	R	3748
James Eaves,	M	C	R	3749
Walter Eaves,	M	C	R	3750
David W. Martin, et al.,	M	C	R	3909
Mattie Warner,	M	C	R	3910
Vesta M. Herod,	M	C	R	3911
Robert W. Martin, et al.,	M	C	R	4491

Said decision after a review of the evidence submitted concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495), is as follows :

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Susan J. Tippit, Gena J. Tippit, James T. Tippit, William J. Tippit, Eunice Tippit, Minnie H. Tippit, Alva N. Tippit, Hazel Tippit, John R. Tippit, Mary E. Peterson, J. Aubrey Peterson, Suetta Tippit, Marion N. McGee, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee, Nettie L. McGee, James F. McGee, Gertie McGee, Mattie Walker, Jimmie Joe Walker, Ursie Callie Walker, Marion E. Martin, David Martin, Arthur Martin, Evie Estelle Martin, Callie Walker, Walter Stanford Walker, Audress More Walker, Sallie Carroll, James Robert Carroll, John Spurgeon Carroll, Melvin Hudson Carroll, Furney Jackson Carroll, Le Vert Milling Carroll, Le Trell Carroll, Reuben Mixon Carroll, Verna Annabel Pierson, Glenwood Marion Pierson, George F. Martin, Howell Martin, Edna Martin, Paul Martin, Carrie Beatrice Martin, Malitee Paralee Harris, Curtis Harris, Nannie Harris, Virgie Harris, Clyde Harris, Robert M. Martin,

Benjamin Martin, David Martin, Mary Martin, Edna Martin, Charley Martin, George Martin, Della Martin, Silas Martin, Inez Martin, Lula Martin, Paul Martin, Gracie Martin, Neatie Boze-man, Rutherford McDuffey Martin, Rotha B. Walker, David Moseley Walker, Evie Melton, Evelyn Marie Melton, Oliver Reynolds Melton, Robert F. Williams, Lucy Williams, Janie Williams, Robert Williams, William H. Williams, Mollie Williams, Maggie Williams, Susan A. B. Terry, Birdie A. B. Talley, Mattie L. Terry, Addie E. Terry, Robert I. Terry, Velma M. Terry, William W. Terry, John H. Martin, Ulysus C. Martin, Eva Martin, Joseph P. Mar-tin (dead), Ada Wylie, William T. Wright, Mitchel L. Wright, Lou Thelma Wright, Martha L. Wright, David M. Wright, Rebecca Wright, James G. Wright, Robert Orvin Wright, Eddie Susie Wright, Nannie Parnell, Lealla Parnell, Eva Parnell, Erly Parnell, Velma Parnell, Wil-lie May Parnell, Thomas M. Martin, Robert A. Martin, Anna (M) Parnell, Carrie I. Parnell, William S. Eaves, Elizabeth F. Eaves, Mary Lue Eaves, Pierson L. Eaves, Rebecca Lue Hooks, Eliza Dorcas Hooks, Sarah J. Chambers, Lila May Chambers, Emily A. Eaves, Mar-vin Eaves, Willie Jowers, Annie Atchison, Luther D. Atchison, Edward Atchison, Willam F. Martin, Annie Lee Martin, Leonard Allen Martin, Mary J. Tate, Aubrey J. Tate, Eliza Perkerson, Ettie Merritt, Jesse Z. Eaves, Willie Eaves, Ola May Eaves, Pierson G. W. Hooks, Effie Harris, Walter Martin, James W. Campbell, Lillian E. Campbell, Lela G. Campbell, Mamie I. Campbell, Margaret Missouri Campbell, Elijah Campbell, Mildred Annett Wallace, Eliazer J. Milling, Robert Milling, Johnny Milling, Willie Milling, Palestine Milling, Luella Milling, James Eaves, Walter Eaves, David W. Martin, Sammy D. Martin, Emily L. Martin, Robert A. Martin, Ruby A. Martin, Tom Smith Martin, Leslie L. Martin, Omega Martin, Mattie Warner, Vesta M. Herod, Robert W. Martin, Robert W. Martin, Jr., Zada I. Martin, and William W. Martin as Choctaw Indians entitled to rights in the Choctaw lands un-der the provision of law above quoted, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Susan J. Tippit for the identification of her husband, James A. Tippit, the application made by Alva N. Tippit for the identification of his wife, Edna Tippit, and the application made by John R. Tippit for the identification of his wife, Dora Tippit, as intermar-ried Mississippi Choctaws, should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James Dixby.

(SIGNED)

Registered.

Acting Chairman.

COPY.

M.C.P. 1049.

Muskogee, Indian Territory, November 12, 1902.

James F. McGee,
Mico, La.

Dear Sir:

You are hereby advised that on the 1st day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Susan J. Tip-it, et al., of which decision you were advised by registered mail on the 21st day of April, 1902.

The Commission is directed to advise you that this decision is subject to your inspection.

Yours truly,

SIGNED

James D. Kirby,
Acting Chairman.

M C R 1049

Muskogee, Indian Territory, December 21, 1903.

James F. McGee,
Hico, Louisiana.

Dear Sir:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippit, et al., in which case the decision of the Commission of April 21, 1902, rejecting the applicants, was approved by the Department November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

J F MoG 2

ment now directs the Commission to notify you that if you wish to take any further action relative to the motion filed by W. M. Springer, on March 24, 1903, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

M C R 1049

Muskogee, Indian Territory, January 6, 1905.

James F. McGee,

Hico, Louisiana.

Dear Sir:

~~You are hereby notified that the motion heretofore made~~
before the Secretary of the Interior to reopen the consolidated
Mississippi Choctaw case of Susan J. Tippet, et al., was denied by
the Department on December 24, 1904.

Respectfully,

Chairman.

COPY

MCR-1049

Muskogee, Indian Territory, January 17, 1907.

James F. McGee,
Hico, Louisiana.

Dear Sir:-

You are hereby notified that on January 7, 1907,
the Secretary of the Interior denied a motion, filed June 28,
1906, by Albert J. Lee, attorney at law, Ardmore, Indian Ter-
ritory, for rehearing in the consolidated Mississippi Choctaw
case of Susan J. Tippit et al., of which the application for
the identification of yourself and children is a part.

Respectfully,

SIGNED

Cams Bixby.

Commissioner.

For Identification as a Mississippi Choctaw.

Date NOV 21 1900

Name James D. Mc. Gee.

Age 24 Blood 1/16

Post Office, Itico, Louisiana.

Father: Marion N. Mc. Gee - ✓

Mother: Lucitia Mc. Gee - ✓

Claims through Father.

WIFE:

Bettie Mc. Gee.
(No claim for wife).

Children:

Gertie Mc. Gee.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 21 1900



ACTING COMMISSIONER.

Chac. MCR 1050

Samuel T. Hartley

See MCR 1051, 1052, 1053, 1054,
1055, 1068, 1069

MCR 1050

Samuel T. Hartley et al

REFUSED

DECISION RENDERED.

JUL 11 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 1 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 1 1902

RECORD FORWARDED DEPARTMENT.

JUL 1 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 25 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REF. TO M. C. R. 1051. 1052. 1053.

1054. 1055. 1068. 1069.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 21, 1900.

In the matter of the application for identification as
Mississippi Choctaws of Samuel T. Hartley and his three minor
children. Samuel T. Hartley being duly sworn by Acting Chairman
Bixby, testified as follows:

Examination by the Commission.

- Q What is your name? A Samuel T. Hartley.
Q What is your age? A I am 70.
Q What is your post-office address? A Turnerville, Texas.
Q Are you a resident of the state of Texas? A Yes sir.
Q How long have you resided in Texas? A I have been in
Texas about sixty years I reckon.
Q Have you maintained a continuous residence in Texas for
sixty years? A Yes sir.
Q Where did you live prior to that time? A Mississippi.
Q What part of Mississippi? A Choctaw County.
Q Were your people recognized members of the Choctaw tribe
of Indians in Mississippi in 1830? A My grand mother..
Q Wasn't your mother? A Yes sir, my mother too.
Q What is your mother's name? A Eliza Beasley.
Q Is she living? A No sir.
Q What is your father's name? A George W. Hartley.
Q That is your mother's maiden name? A Yes sir.
Q Is your father living? A No sir, he's dead.
Q Through which one of your parents do you claim your Choctaw
blood? A My father.
Q How much Choctaw blood do you claim? A One fourth.
Q Was your father a recognized member of the Choctaw tribe of
Indians in Mississippi in 1830? A I don't know, I reckon so.
Q When did you leave Mississippi? A I left Mississippi in
'35 I believe.
Q Did your father come with you? A Yes sir, come to Little
Rock, Arkansas and died.
Q Your father left Mississippi in 1835 then? A Yes sir.
Q Where did he start for? A He started for Texas.
Q Do you know anything about his possession in the state of
Mississippi? A No, I do not.
Q Do you know whether he ever received any land in Mississippi
as a beneficiary under the provisions of the 14th article of the
treaty of 1830? A I do not.
Q That is the article of the treaty under which you are
making your claim is it not? A Yes sir.
Q Did any of your ancestors ever comply with the provisions
of that article of that treaty? A Not as I know of anything
about it.
Q Why did your father leave Mississippi? A Because he
wanted to come to Texas.
Q What did he want to come to Texas for? A I do not know.
Q Did he signify to the United States Indian Agent for the
Choctaw Indians in Mississippi that he wanted to stay there and
become a citizen of the states? A I don't know that.
Q Did he remain there the five years as required by the pro-
visions of that article of that treaty? A I don't know that.
Q Did any of your ancestors ever receive or claim any land in
Mississippi as beneficiaries under the provisions of the 14th
article of the treaty of 1830? A No sir, I don't think they did.
Q If your father was a recognized member of the Choctaw tribe
of Indians in Mississippi in 1830 why did he not remove to the

Samuel T Hartley 2

Indian territory with the other members of the tribe? A I don't know.

Q What do you know about your father's Choctaw Indian citizenship in Mississippi? A I know my father was a one fourth Choctaw.

Q Was any provisions ever made that ~~you~~ you should receive any land in Mississippi under the provisions of the 14th article of the treaty of 1830? A Not as I know of.

Q When were you born? A In 1830.

Q What month? A In March, the fourteenth.

Q You were living on the 27th of September, 1830 were you not? A I guess I was.

Q You are aware of the fact that under the provisions of the 14th article of the treaty of 1830 that you were entitled to certain considerations thereunder as a child? A Yes sir.

Q Did you ever receive any benefits under that article of that treaty? A Never did.

Q Are you making this claim under any other provisions of any other treaty between the United States and the Choctaw Indians?

A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Nannie V. Hartley.

Q Is she a white woman? A Yes sir.

Q Never made any claim to Indian citizenship by blood? A no sir.

Q Are you making any claim for her now? A No sir.

Q When did you marry her? A In '90.

Q Where were you married to her? A In Texas.

Q Married in accordance with the laws of the state of Texas? A Yes sir.

Q Have you your marriage license and certificate? A Yes sir.

Q Have you them with you? A No sir.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in the matter of the identification of your children. Have you any children under 21 years of age and unmarried for whom you desire to make application?

A Three.

Q What are their names and ages? A Ammie Hartley.

Q How old is she? A Nineteen.

Q Who is the mother of Ammie Hartley? A My first wife.

Q What was her name? A Margaret Hartley.

Q Is she dead? A Yes sir.

Q Have you your marriage license and certificate to Margaret Hartley? A Yes sir.

Q It will be necessary for the Commission to be supplied with evidence of your marriage to your first wife in the matter of the application for the identification of this child. What are the names and ages of your other two children? A Samuel H. Hartley. Sixteen.

Q This same mother? A Yes sir.

Q The next one? A By my second wife, Eddie R.

Q How old is he? A Ten years old.

Q This child is by your second wife? A Yes sir.

Q These children all live with you at your home? A Yes sir.

Q You and your wife living together? A Yes sir.

Q Any additional statement you desire to make in support of this application? A No sir.

Q Is there any written evidence that you desire to offer the Commission for consideration in support of the application?

Here attorney for applicant asks leave to file written evidence in support of this claim ~~xxx~~ in 15 days from ~~this date~~ this date.

Permissions granted the attorney for the applicant to file written evidence in support of this appli-

Samuel T. Hartley 3

cation provided the same is offered for filing with this Commission within fifteen days from the date hereof.

By L. P. Hudson, attorney for the applicant.

Q Mr. Hartley is it your intention to remove to the Indian Territory for the purpose of making a home here? A Yes sir.

Q And to do that in the near future? A Yes sir.

By the Commission.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for identification as Mississippi Choctaws, will be mailed to you in writing sometime in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized tribes she reported in full all the proceedings had in the above-entitled cause on the 21st day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Ex

Myra Young

Subscribed and sworn to before me this 22nd day of November, 1900.

L. P. Emerson
Notary Public.

21

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*Sub
CRB
C.V.W*

In the matter of the application of Samuel T. Hartley,
et al., for identification as Mississippi Choctaws, consolidating
the applications of -

Samuel T. Hartley, et al.,	M C R 1050
Robert H. Hartley, et al.,	M C R 1051
Virginia Shultz, et al.,	M C R 1052
Sophronia C. Gagle, et al.,	M C R 1053
Caroline Taylor, et al.,	M C R 1058
Maggie J. Van Every, et al.,	M C R 1054
Samuel W. Dwyer, et al.,	M C R 1055
Eliza C. Reeves, et al.,	M C R 1059

< —

DECISION.

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Samuel T. Hartley for himself and his three minor children,
Annie, Samuel H., and Eddie R. Hartley; by Robert H. Hartley for
himself and his three minor children, Bessie Learner, Youler May,
and Viola Hartley; by Virginia Shultz for herself and her four
minor children, Birdie, Callie, Julia, and Richard Shultz; by
Sophronia C. Gagle for herself and her two minor children, Nanie,
and Dessie Gagle; by Caroline Taylor for herself and her six minor
children, Maudie Viola, Claudie R., Mattie A., Jesse M., Earline,

2.

and _____ Taylor, a male infant not named; by Melvin V. Van Every for his wife, Maggie J., and her five minor children, Minnie R., Samuel, Willie, Eva and Myrtle Van Every; by Samuel W. Denyer for himself and his eight minor children, Alfred F., Arthur I., Addie E., Zenobia C., Lee C., Samuel D., William George, and Melvin E. Denyer; and by Eliza C. Reeves for herself and her three minor children, Nora Alice, Ada R. and James Allen Reeves, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 435):

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one George W. Hartley, and from Eliza article (nee Beasley) (or Ann Hartley nee Fisher) who are alleged to have been three quarter blood Choctaw Indians and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the

3.



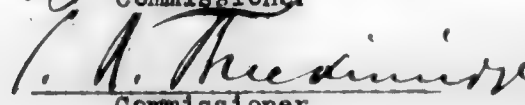
Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321).

It does not appear from the testimony and evidence offered in support of said applications or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said George W. Hartley, Eliza Hartley (nee Beasley) (or Ann Hartley, nee Fisher), or Samuel W. Hartley, the principal applicant, who claims to have been living at the date of the ratification of the treaty of eighteen hundred and thirty, signified (in person or by proxy) to Colonel M. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stat., 140), and August 23, 1846, (5 Stat., 315).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Samuel W. Hartley, Annie Hartley, Samuel H. Hartley, Eddie W. Hartley, Robert H. Hartley, Bessie Leanner Hartley, Youler May Hartley, Viola Hartley, Virginia Shultz, Birdie Shultz, Callie

Shultz, Julia Shultz, Richard Shultz, Sophronia C. Cagle, Hazle Cagle, Dessie Cagle, Caroline Taylor, Maudie Viola Taylor, Claudie R. Taylor, Mattie A. Taylor, Jesse M. Taylor, Earline Taylor, _____ Taylor (male infant unnamed), Maggie J. Van Every, Minnie R. Van Every, Samuel Van Every, Willie Van Every, Eva Van Every, Myrtle Van Every, Samuel W. Denyer, Alfred F. Denyer, Arthur L. Denyer, Addie E. Denyer, Zenobia C. Denyer, Lee C. Denyer, Samuel D. Denyer, William George Denyer, Melvin E. Denyer, Eliza C. Reeves, Nora Alice Reeves, Ada B. Reeves, and James Allen Reeves as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman

Commissioner

Commissioner.

Muskogee, Indian Territory,

JUL 11 1907

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Samuel T. Hartley,
et al., for identification as Mississippi Choctaws, consolidating
the applications of-

Samuel T. Hartley, et al.,	M C R 1050
Robert H. Hartley, et al.,	M C R 1051
Virginia Shultz, et al.,	M C R 1052
Sophronia C. Gable, et al.,	M C R 1053
Caroline Taylor, et al.,	M C R 1054
Maggie J. Van Every, et al.,	M C R 1055
Samuel W. Dwyer, et al.,	M C R 1056
Eliza C. Reeves, et al.,	M C R 1057

List of papers forwarded to the Secretary of the Interior, comprising the record in the consolidated case of Samuel T. Hartley, et al.

	Page.
Original application of Samuel T. Hartley, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	1
Certified copy of marriage record of S. T. Hartley and Fannie Beck - - - - -	4
Certified copy of marriage record of Samuel Hartley and Annie Ralls - - - - -	5
Affidavit of G. C. Colbert - - - - -	6
Original application of Robert H. Hartley, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	7
Certified copy of marriage license issued to Robert H. Hartley and Lou Palmer - - - - -	10

Page.

Birth affidavit made by Louisa Hartley of Viola Hartley - - - - -	11
Original application of Virginia Shults, et al., to the Dawes Commission for identification as Mississippi Choctaws - - - -	12
Original application of Saphrenia C. Cagle, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	15
Certified copy of marriage license issued to J. T. Cagle and Frena Hartley - - - - -	18
Original application of Caroline Tayler, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	19
Original application of Maggie J. Van Every, et al., to the Dawes Commission for identification as Mississippi Choctaws -	23
Certified copy of marriage license issued to M. E. Van Every and Maggie Denyer - - - - -	26
Original application of Samuel W. Denyer, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	27
Certified copy of marriage license issued to Samuel W. Denyer and Alice C. Gallehar - - - - -	30
Original application of Eliza C. Reeves, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	31
Decision of the Commission denying the applications of Samuel T. Hartley, et al., Robert H. Hartley, et al., Virginia Shults, Saphrenia C. Cagle, et al., Caroline Tayler, et al., Maggie J. Van Every, et al., Samuel W. Denyer, et al., and Eliza C. Reeves, et al., - - - - -	34

REFER TO M. C. R.

1050

Charles C. Hartley
Vet

Consolidated One

George W. Hartley, Dead
married
Eliza Pearley
or
Ann Fisher 1/4

mb R
1050
Samuel J. Hartley 70 1/4
wife
1st Margaret Hartley, Dead
2nd Hannah V. Hartley

Georgia Annalia Hartley
married
M. J. Phillips
mb R
1068
Caroline Hartley 30 1/8
married
Jesse M. Taylor

mb R
1068
Maudie V. Taylor 18
" Claudie R. Taylor 16
" Mattie A. Taylor 13
" Fere M. Taylor 11
" Earline Taylor 5
" Infant (male) 2 mos

mb R
1052
Virginia Hartley 33 1/4
married
Henry Shultz

mb R
1054
Berdie Shultz 10
" Callie Shultz 8
" Julia Shultz 4
" Richard Shultz

mb R
1051
Robert H. Hartley 28 1/8
wife
Laura Hartley

mb R
1051
Berrie Fanner Hartley 14
" Louisa May Hartley 2
" x Viola Hartley
x ...

mb R
1053
Sophronia Hartley 25 1/8
married
James Gage

mb R
1053
Hazel Gage 6
" Berrie Gage 2

mb R
1050
Ammie Hartley 19
" Samuel H. Hartley 16
" Eddie R. Hartley 10

1050

Samuel J. Hartley
Esq

Consolidated Case

George W Hartley
Cm 5

Sarah A Hartley
married Dead
1st Ebenezer A Dwyer
2^d George Fort Dead

note R
1054
Maggie J Van Eury 32
husband m/ Dwyer 18
Melvin E Van Eury

note R
1055
Minnie R Van Eury 16
Clarence Van Eury 14
Willie Van Eury 12
Eva Van Eury 10
Myrtle Van Eury 9 m

note R
1056
Clarence Dwyer 34 1/8
wife
Alice G Dwyer
note R
1064
Eugene G Fort 26 1/8
married ←
William J Reever

note R
1055
Alfred J. Dwyer 14
Arthur L. Dwyer 12
Addie E Dwyer 10
Jennie Dwyer 8
Lu G Dwyer 6
Clarence Dwyer 4
William Eugene Dwyer 2
Melvin E Dwyer Infant 1 m

note R
1064
Nora Alice Reever 6
Ada B Reever 4
James Allen Reever 3

Muskogee, Indian Territory, March 20, 1901.

Messrs Hudson & Arnold,
Ardmore, Indian Territory,
Gentlemen:

The Commission is in receipt of your letter of March 11,
inclosing the following papers for filing:

Certified copy of marriage license and certificate between
Mr. Frank Hull and Miss Dora Daniels, to be filed with the claim of
John Franklin Hull et al. for identification as Mississippi Choctaws.

Certified copy of marriage license and certificate between
Samuel Hartley and Margaret Ann Ralls, and certified copy of marriage
license and certificate between Mr. S. T. Hartley and Miss Nannie
Reek, to be filed in support of the application for identification as
Mississippi Choctaws of Samuel T. Hartley et al.

Certified copy of marriage license and certificate between
Mr. R. H. Hartley and Miss Lou Palmer, to be filed with the applica-
tion of Robert H. Hartley et al. for identification as Mississippi
Choctaws.

The papers have been duly filed with the several claims
above mentioned.

Yours truly,

Acting Chairman.

MC 930
MC 1050
MC 1061

Muskogee, Indian Territory, April 3, 1901.

Mr. W. J. Philips,

Pasadena, Texas,

Dear Sir:

The Commission is in receipt of your letter of March 30, in which you inquire how to present your wife's claim for identification as a Mississippi Choctaw, and state that she is a daughter of S. T. Hartley, and a sister of Mrs. C. T. Taylor, Mrs. M. V. Shuts, Mrs. S. C. Cagle, Miss Annie Hartley and Mr. Sammie Hartley, who have applied for identification as Mississippi Choctaws. you also ask whether you could go before a Justice of the Peace and make application.

In reply to your letter you are advised that on November 21, 1900, Samuel T. Hartley appeared before the Commission at Muskogee and applied for the identification of himself and his daughter Annie Hartley and his son Samuel H. Hartley as Mississippi Choctaws; on the same day Robert H. Hartley applied for the identification of himself and two minor children; Virginia Shultz applied for the identification of herself and four minor children; Sophronia C. Cagle applied for the identification of herself and two minor children, as Mississippi Choctaws; and on November 25, 1900, Caroline Taylor, a sister of the above named applicants, and daughter of Samuel T. Hartley, appeared before the Commission at Muskogee and applied for the identification of herself and six children as Mississippi Choctaws. No action has

W.F.P. 2

been taken in any of these cases.

You are advised that the rules of the Commission require that each applicant for identification as a Mississippi Choctaw should appear in person before the Commission for examination. If your wife desires to present her application for identification as a Mississippi Choctaw she should appear before the Commission at its office in Atoka, Indian Territory, whenever she desires to do so, and a record will then be made of her name.

Yours truly,

Acting Chairman.

MC 1050
MC 1051
MC 1052
MC 1053
MC 1058

Miss Choctaw 1050.

Muskogee, Indian Territory, April 25, 1902.

Samuel T. Hartley,
Caney, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 22, asking if you and your minor children and Mrs. G. A. Phillips have been enrolled.

In reply to your letter you are advised that it appears from our records that on November 21, 1900, Samuel T. Hartley made application to the Commission, at Muskogee, Indian Territory, for the identification of himself and three minor children, Annie, Samuel H. and Eddie R. Hartley, as Mississippi Choctaws. No decision has yet been reached or opinion rendered relative to your rights as such Mississippi Choctaws. As soon as a decision is reached you will be notified of the action of the Commission.

It does not appear from our records that any person by the name of Mrs. G. A. Phillips has applied to the Commission for identification as a Mississippi Choctaw. If you will advise when, where, and under what name she made application, the names of other members of her family who appeared at the same time, and any other informa-

S.T.H. 2

tion which would enable us to identify her as an applicant, the
matter will receive further consideration.

Yours truly,

Commissioner in Charge.

Miss. Choctaw 1050.

Muskogee, Indian Territory, April 28, 1902.

S. T. Hartley,

Caney, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 25, inclosing affidavit of G. C. Colbert, which you offer in support of your application for the identification of yourself and your minor children as Mississippi Choctaws, and the same has been made a part of the record in this case and will receive consideration in the disposition of the application.

Yours truly,

Commissioner in Charge.

Miss. Choctaw 1040

Muskogee, Indian Territory, May 5, 1902.

S. T. Hartley,

Caney, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 2, in which you state that Mrs. G. A. Phillips is your daughter, and her name was Georgia Amelia Hartley, and that she was married to M. J. Phillips June 6, 1888; that she has never appeared in person before the commission but that you gave in her name and the names of her three children at the time you applied for identification as a Mississippi Choctaw.

In reply to your letter you are advised that no record has been made of your daughter, Georgia Amelia Phillips or her children as applicants for identification as Mississippi Choctaws. She being married, you would not have been permitted to make application for her at the time of your application. If she now desires to present her claim as a Choctaw Indian entitled to rights in the Choctaw land under the fourteenth article of the treaty of 1830, she will be heard upon her personal appearance at the office of the Commission at Muskogee, Indian Territory, at which time a proper record will

S.T.H. 1

be made of her application. It is suggested that if she wishes to make such an application she should do so as early as practicable.

Yours truly,

Commissioner in Charge.

COPY.

M.C.R. 1050

Muskogee, Indian Territory, July 11, 1902.

Samuel T. Hartley,
Tornerville, Texas.

Dear Sir:

You are hereby advised that on the 11th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel T. Hartley, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel T. Hartley, et al.,	M.C.R. 1050
Robert H. Hartley, et al.,	M.C.R. 1051
Virginia Schultz, et al.,	M.C.R. 1052
Euphronia C. Cagle, et al.,	M.C.R. 1053
Caroline Taylor, et al.,	M.C.R. 1058
Maggie J. Van Every, et al.,	M.C.R. 1054
Samuel W. Denyer, et al.,	M.C.R. 1056
Eliza C. Reeves, et al.,	M.C.R. 1059-

These applications were made under the provision of the act of Congress of June 25, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

S T H-----2

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Samuel T. Hartley, Annie Hartley, Samuel H. Hartley, Eddie R. Hartley, Robert H. Hartley, Bessie Leanner Hartley, Youler May Hartley, Viola Hartley, Virginia Shultz, Birdie Shultz, Callie Shultz, Julia Shultz, Richard Shultz, Sophronia C. Cagle, Gable Cagle, Dossie Cagle, Caroline Taylor, Maudie Viola Taylor, Claudie R. Taylor, Mattie A. Taylor, Josse M. Taylor, Earline Taylor, Taylor (male infant unnamed), Maggie J. Van Every, Minnie R. Van Every, Samuel Van Every, Willie Van Every, Eva Van Every, Myrtle Van Every, Samuel W. Denyer, Alfred P. Denyer, Arthur L. Denyer, Addie E. Denyer, Zenobia C. Denyer, Lee C. Denyer, Samuel D. Denyer, William George Denyer, Melvin E. Denyer, Eliza C. Reeves, Nora Alice Reeves, Ada B. Reeves, and James Allen Reeves as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Tamo Bixby.

Registered.

Acting Chairman.

COPY.

M.C.R. 1050

Muskogee, Indian Territory, July 11, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Samuel T. Hartley, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of the 11th day of July, 1902.

The above consolidated case embraces the following original applicants for identification as Mississippi Choctaws heard by the Commission:

Samuel T. Hartley, et al.,	M.C.R. 1050
Robert H. Hartley, et al.,	M.C.R. 1051
Virginia Shultz, et al.,	M.C.R. 1052
Sophronia C. Cagle, et al.,	M.C.R. 1053
Caroline Taylor, et al.,	M.C.R. 1058
Maggie J. Van Every, et al.,	M.C.R. 1054
Samuel W. Denyer, et al.,	M.C.R. 1055
Eliza C. Reeves, et al.,	M.C.R. 1059

The Commission has the honor to report that the principal applicants in the several separate applications, their attorneys of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission,

- 2 -
copies of said letters being attached to the record.

Yours truly,

(SIGNED)

James Bixby.

Acting Chairman.

Through the

Commissioner of Indian Affairs.

1 inclosure.

COPY.

M.C.R. 1050

Muskogee, Indian Territory, July 11, 1902.

Messrs. Mangfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 11th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel W. Hartley, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel T. Hartley, et al.,	M.C.R. 1050
Robert H. Hartley, et al.,	M.C.R. 1051
Virginia Shultz, et al.,	M.C.R. 1052
Sophronia C. Gagle, et al.,	M.C.R. 1053
Caroline Taylor, et al.,	M.C.R. 1054
Maggie J. Van Every, et al.,	M.C.R. 1055
Samuel W. Denyer, et al.,	M.C.R. 1056
Eliza C. Reeves, et al.,	M.C.R. 1057

These applications were made under the provision of the act of Congress of June 22, 1898 (30 Stat., 499) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

M H & C-----

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Samuel T. Hartley, Annie Hartley, Samuel H. Hartley, Eddie H. Hartley, Robert H. Hartley, Bessie Lechner Hartley, Youler May Hartley, Viola Hartley, Virginia Shultz, Birdie Shultz, Callie Shultz, Julia Shultz, Richard Shultz, Sophronia C. Cagle, Hassie Cagle, Dessie Cagle, Caroline Taylor, Maudie Viola Taylor, Claudie R. Taylor, Mattie A. Taylor, Jesse H. Taylor, Harline Taylor, Taylor (male infant unnamed), Maggie J. Van Every, Minnie H. Van Every, Samuel Van Every, Willie Van Every, Eva Van Every, Myrtle Van Every, Samuel W. Denyer, Alfred F. Denyer, Arthur L. Denyer, Addie E. Denyer, Zenobia C. Denyer, Lee C. Denyer, Samuel D. Denyer, William George Denyer, Melvin E. Denyer, Eliza C. Reeves, Nora Alice Reeves, Ada H. Reeves, and James Allen Reeves as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Tams Bixby.

Acting Chairman.

Registered.

C o p y.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs,

Land.
44588-1902.

Washington, October 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record and proceedings had before the Commission to the Five Civilized Tribes, in the consolidated Mississippi Choctaw case of Samuel T. Hartley, et al., in which the applicants seek to be identified as Mississippi Choctaws with rights in the lands of the Choctaw Nation under the provisions of article 14 of the treaty of 1830.

The cases consolidated therein are as follows:

Samuel T. Hartley, et al.,

Robert H. Hartley, et al.,

Virginia Shultz, et al.,

Sophronia C. Cagle, et al.,

Caroline Taylor, et al.,

Maggie J. VanEvery, et al.,

Samuel W. Denyer, et al.,

Eliam C. Reeves, et al.,

On July 11, 1902, said commission rendered a decision in the consolidated case finding that the evidence submitted by the applicants is insufficient to identify them as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article 14.

--2--

The office has examined the record evidence and finds that one of the principal applicants, Samuel T. Hartley, avers that he is 70 years old; that he claims to have inherited his Choctaw blood through his father whose name was George W. Hartley. He also avers that his father left Mississippi in 1835.

It is very clear that if this principal applicant is 70 years old his father was married and the head of a family in 1830, but the applicant has failed to submit any evidence which tends to show that his said father ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830 nor does he know that his father ever received a patent for land by reason of any compliance therewith.

An examination of the office records fails to show that any person by the name of George W. Hartley ever complied or attempted to comply with the provisions of said article fourteen or received a patent for land thereunder, nor do the names of Beasley or Fisher who are mentioned in the record evidence as ancestors appear upon the office records among those persons alleged to have received land under the provisions of said article.

The record evidence shows that none of these applicants are Choctaw Indians of the full blood.

It is therefore respectfully recommended that the decision of the commission herein be affirmed by the Department.

Very respectfully,
Your obedient servant,
A. C. TONNER,
Acting Commissioner.

(W.C.B.) P.

C o p y. D.C.20347.

RAJ

DEPARTMENT OF THE INTERIOR.

Washington, October 25, 1902.

ITD. 6375-1902.

LRS.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

July 11, 1902, you transmitted the record in the matter of the applications for identification as Mississippi Choctaws, of Samuel T., Ammie, Samuel H. and Eddie R. Hartley; of Robert H., Bessie Leanner, Youler May and Viola Hartley; of Virginia, Birdie, Callie, Julia and Richard Shultz; of Sophronia C., Hazle and Dessie Cagle; of Caroline, Maudie Viola, Claudie R., Mattie A., Jesse M., Earline and _____ Taylor (a male infant not named); of Maggie J., Minnie R., Samuel, Willie, Eva and Myrtle Van Every; of Samuel W., Alfred F., Arthur L., Addie E., Zenobia C., Lee C., Samuel D., William George and Melvin R. Denyer; and of Eliza C., Nora Alice, Ada B. and James Allen Reeves.

The applicants endeavor to trace their descent from one George W. Hartley and Eliza Hartley (nee Beasley) (or Ann Hartley nee Fisher), who are alleged to have been three-quarters blood Choctaw Indians residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said George W. Hartley or Eliza Hartley complied or attempted to comply with Article XIV of the treaty of September 27, 1830, or

with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the applications July 11, 1902.

Forwarding the papers October 13 the Acting Commissioner of Indian Affairs recommends your decision be approved. A copy of his letter is inclosed.

The Department finds no reason to disturb your decision and it is hereby affirmed.

Respectfully,

E. A. HITCHCOCK,

Secretary.

1 inclosure.

M. C. R. 1050

COPY.

Muskogee, Indian Territory, November 7, 1902.

Samuel T. Hartley,
Turnerville, Texas.

Dear Sir:

You are hereby advised that on the 25th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Samuel T. Hartley, et al., of which decision you were advised by registered mail on the 11th day of July, 1902.

Respectfully,

(SIGNED)

James Bixby.
Acting Chairman.

H. C. B. 1080

COPY.

Washoe, Indian Territory, November 7, 1902.

Manfield, McMurray & Cornish,
Attorneys for the Cheate and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 25th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Cheate of the several persons included in the consolidated case of Samuel T. Hartley, et al., of which decision you were advised by mail on the 11th day of July, 1902.

Respectfully,

(SIGNED).

Tamc Bixby.
Acting Chairman.

MCR-1050.

Muskogee, Indian Territory, October 1, 1906.

M. J. Phillips,

Caney, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 24th instant requesting to be advised the status of the consolidated Mississippi Choctaw case of S. T. Hartley et al. You state that W. Chenault, an attorney of Ardmore, Indian Territory, has heretofore been employed to represent the applicants in this case, and you request to be advised if he has taken any steps in the matter.

In reply to your letter you are informed that on October 25, 1902, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of July 11, 1902, refusing to identify, as Mississippi Choctaws, the several persons included in the consolidated case of Samuel T. Hartley et al.

It does not appear that there is any motion for rehearing or reconsideration of this case now pending and, under the Act of Congress approved April 26, 1906 (34 Stats., 137), the time within which such motions could be received expired July 25, 1906. The Department's decision of October 25, 1902, is therefore non-

M. J. P. - - - - (2)

sidered final.

It does not appear from the records of this office that
Mr. Chenault has taken any action in this case.

Respectfully,

Commissioner.

1050

For Identification as a Mississippi Choctaw.

Date NOV 21 1900

Name

Samuel V. Hartley.

Age

70

Blood

1/4

Post Office,

Turnersville, Texas.

Father:

Geo. W. Hartley - dead

Mother:

Oliza Beasley - dead

Claims through

father

WIFE:

Nannie V. Hartley -
(No claim for wife).

Children:

Annie Hartley 19.
(MOTHER Margaret Hartley - dead).
Samuel H. Hartley 16
Eddie A. Hartley 10.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 21 1900

ACTING CHAIRMAN.

END

OF

ROLL

1001

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